This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

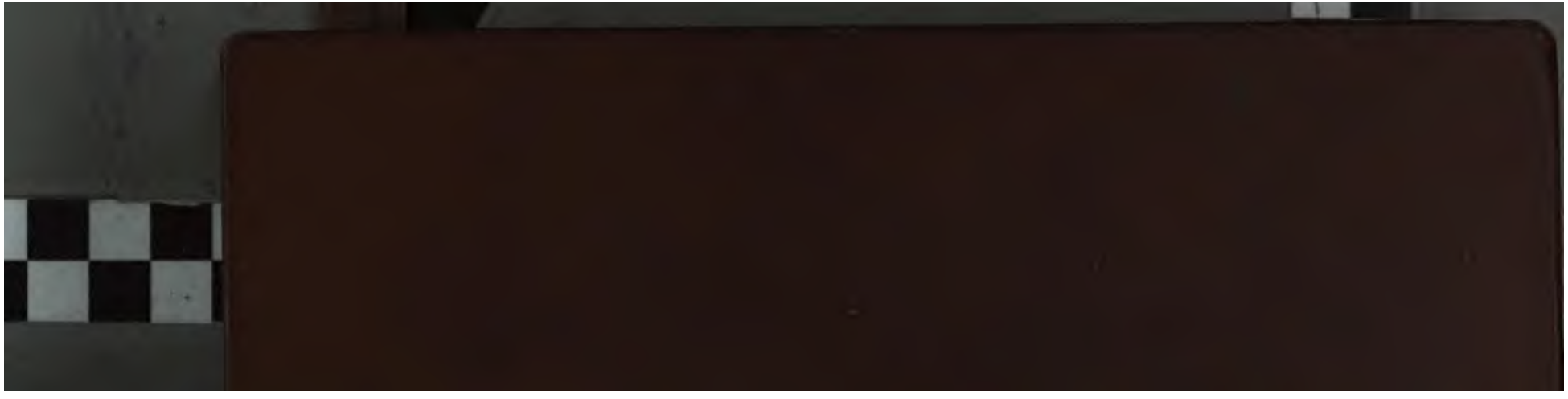
+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`



ingham.

[redacted]

Criminal
Civil

THE NEW YORK
PUBLIC LIBRARY
ASTOR, LENOX AND
TILDEN FOUNDATIONS.

JOHN HATFIELD.

THE

CRIMINAL RECORDER:

OR,

BIOGRAPHICAL SKETCHES

OF

NOTORIOUS PUBLIC CHARACTERS;

INCLUDING

Murderers,	Incendiaries,	Highwaymen,	Housebreakers,
Traitors,	Defrauders,	Footpads,	Coiners,
Pirates,	Rioters,	Pickpockets,	Receivers,
Mutineers,	Sharpers,	Swindlers,	Extortioners,

AND OTHER NOTED PERSONS,

WHO HAVE SUFFERED THE SENTENCE OF THE LAW FOR

CRIMINAL OFFENCES;

Embracing a variety of

CURIOUS AND SINGULAR CASES, ANECDOTES,

&c.

WITH OCCASIONAL NOTES,

ILLUSTRATED WITH ELEGANT ENGRAVINGS.

BY THE FIRST ARTISTS.

IN TWO VOLUMES.

VOL. 2.

NOTTINGHAM:

PRINTED AND SOLD BY R. DOWSON.

1815.

THE NEW YORK
PUBLIC LIBRARY
ASTOR, LENOX AND
TILDEN FOUNDATIONS.
1901

BIOGRAPHICAL SKETCHES,

&c. &c.

JOHN HATFIELD,

The Keswick Impostor,

Executed at Carlisle, September 3, 1803, for Forgery.

With Particulars of the once celebrated "Beauty of Buttermere," a Victim to his Villainy.

THE subject of our present consideration (who had latterly acquired the appellation of the Keswick Impostor,) and whose extraordinary case had excited considerable and universal odium, was born in the year 1759, at Mortram, in Longdale, Cheshire, of low descent, but possessing much natural abilities. His face was handsome, the shape of which, in his youth, was oval, his person genteel, his eyes blue, and his complexion fair.

After some domestic depredations (for, in his early days, he betrayed an iniquitous disposition,) he quitted his family, and was employed in the capacity of a rider to a linen-draper in the north of England. In the course of this service, he became acquainted with a young woman, who was nursed, and resided at a farmer's house in the neighbourhood of his employer. She had been, in her earlier life, taught to consider the people with whom she lived as

her parents. Remote from the gaieties and follies of what is so idly denominated polished life, she was unacquainted with the allurements of fashion, and considered her domestic duties as the only object of her consideration. When this deserving girl had arrived at a certain age, the honest farmer explained to her the secret of her birth: he told her, that notwithstanding she had always considered him as her parent, he was in fact only her poor guardian, and that she was the natural daughter of Lord Robert Manners, who intended to give her one thousand pounds, provided she married with his approbation.

This discovery soon reached the ears of Hatfield: he immediately paid his respects at the farmer's, and having represented himself as a young man of considerable expectations in the wholesale linen business, his visits were not discountenanced. The farmer, however, thought it incumbent on him to acquaint his lordship, with a proposal made to him by Hatfield, that he would marry the young woman, if her relations were satisfied with their union, but on no other terms. This had so much the appearance of an honourable and prudent intention, that his lordship, on being made acquainted with the circumstances, desired to see the lover. He accordingly paid his respects to the noble and unsuspecting parent, who conceiving the young man to be what he represented himself, gave his consent at the first interview; and, the day after the marriage took place, presented the bridegroom with a draft on his banker for £1500. This transaction took place about the year 1771 or 1772.

Shortly after the receipt of his lordship's bounty, Hatfield set off for London; hired a small phæton; was perpetually at the coffee-houses in Covent-garden; described himself to whatever company he chanced to meet, as a near relation of the Rutland family; vaunted of his parks and hounds; but as great liars have seldom good memories, he so varied in his descriptive figures, that he acquired the appellation of *lying Hatfield.*

The marriage portion now exhausted, he retreated from London, and was scarcely heard of until about the year

1782, when he again visited the metropolis, having left his wife with three daughters she had borne to him, to depend on the precarious charity of her relations. Happily she did not long survive; and the author of her calamities, during his stay in London, soon experienced calamity himself, having been arrested, and committed to the King's Bench prison for a debt, amounting to the sum of 160l. Several unfortunate gentlemen, then confined in the same place, had been of his parties when he flourished in Covent Garden, and perceiving him in great poverty, frequently invited him to dinner; yet such was the unaccountable disposition of this man, that notwithstanding he knew there were people present who were thoroughly acquainted with his character, still he would continue to describe his Yorkshire Park, his estate in Rutlandshire, settled upon his wife, and generally wind up the whole with observing how vexatious it was to be confined at the suit of a paltry tradesman for so insignificant a sum, at the very moment when he had thirty men employed in cutting a piece of water near the family mansion in Yorkshire.

At the time Hatfield became a prisoner in the King's Bench, the late unfortunate Valentine Morris, formerly governor of the Island of St. Vincent, was confined in the same place. The gentleman was frequently visited by a clergyman of the most benevolent and humane disposition. Hatfield soon directed his attention to this good man, and one day earnestly invited him to attend him to his chamber. After some preliminary apologies, he implored the worthy pastor never to disclose what he was going to communicate. The divine assured him, the whole should remain in his bosom. "Then," said Hatfield, "you see before you a man nearly allied to the house of Rutland, and possessed of estates (here followed the old story of the Yorkshire Park, the Rutlandshire property, &c. &c.); yet notwithstanding all this wealth, (continued he,) I am detained in this wretched place, for the insignificant sum of one hundred and sixty pounds. But the truth is, Sir, I would not have my situation known to any man in the world but my worthy relative, his Grace of Rutland. Indeed, I would rather

remain a captive for ever. But, Sir, if you would have the goodness to pay your respects to this worthy nobleman, and frankly describe how matters are, he will at once send me the money by you, and this mighty business will not only be instantly settled, but I shall have the satisfaction of introducing you to a connection which may be attended with happy consequences."

The honest clergyman readily undertook the commission; paid his respects to the Duke, and pathetically described the unfortunate situation of his amiable relative. His Grace of Rutland, not recollecting at the moment such a name as Hatfield, expressed his astonishment at the application. This reduced the worthy divine to a very awkward situation; and he faltered in his speech when he began making an apology; which the Duke perceiving, he very kindly observed, that he believed the whole was some idle tale of an impostor, for that he never knew any person of the name mentioned, although he had some faint recollection of hearing Lord Robert, his relation, say that he had married a natural daughter of his to a tradesman in the north of England, and whose name he believed was Hatfield.

The reverend missionary was so confounded that he immediately retired, and proceeded to the prison, where he gave the impostor, in the presence of Mr. Morris, a most severe lecture. But the appearance of this venerable man as his friend had the effect which Hatfield expected; for the Duke sent to inquire if he was the man that married the natural daughter of Lord Robert Manners, and being satisfied as to the fact, dispatched a messenger with 200l. and had him released.

In the year 1784 or 1785, His Grace of Rutland was appointed Lord Lieutenant of Ireland, and shortly after his arrival in Dublin, Hatfield made his appearance in that city. He immediately, on his landing, engaged a suite of apartments at a Hotel in College-green, and represented himself as nearly allied to the Viceroy, but that he could not appear at the castle until his horses, servants, and carriages, were arrived, which he ordered, before his leaving England, to be shipped at Liverpool. The easy and familiar manner in

which he addressed the master of the Hotel perfectly satisfied him that he had a man of consequence in his house, and matters were arranged accordingly. This being adjusted, Hatfield soon found his way to Lucas's Coffee-house, a place which people of a certain rank generally frequent; and, it being a new scene, the Yorkshire Park, the Rutlandshire estate, and the connections with the Rutland family, stood their ground very well about a month.

At the expiration of this time, the bill at the hotel amounted to sixty pounds and upwards. The landlord became importunate, and after his expressing his astonishment at the non-arrival of Mr. Hatfield's domestics, &c. requested he might be permitted to send in his bill. This did not in the least confuse Hatfield: he immediately told the master of the hotel, that very fortunately his agent, who received the rents of his estates in the north of England, was then in Ireland, and held a public employment: he lamented that his agent was not then in Dublin: but he had the pleasure to know his stay in the country would not exceed three days. This satisfied the landlord, and, at the expiration of the three days, he called upon the gentleman, whose name Hatfield had given him, and presented the account. Here followed another scene of confusion and surprize. The supposed agent of the Yorkshire estate very frankly told the man who delivered the bill, that he had no other knowledge of the person who sent him than what common report furnished him with, that his general character in London was that of a romantic simpleton, whose plausibilities had imposed on several people, and plunged himself into repeated difficulties.

The landlord retired highly thankful for the information, and immediately arrested his guest, who was lodged in the prison of the Marshalsea. Hatfield had scarcely seated himself in his new lodgings, when he visited the jailor's wife in her apartment, and, in a whisper, requested of her not to tell any person that she had in her custody a near relation of the then Viceroy. The woman, astonished at the discovery, immediately shewed him into the best apartment in the prison, had a table provided, and she, her husband, and

Hatfield, constantly dined together for nearly three weeks, in the utmost harmony and good humour.

During this time he had petitioned the duke for another supply, who, apprehensive that the fellow might continue his impositions in Dublin, released him, on condition of his immediately quitting Ireland; and his Grace sent a servant, who conducted him on board the packet that sailed the next tide for Holyhead.

In 1792 he came to Scarborough, introduced himself to the acquaintance of several persons of distinction in that neighbourhood, and insinuated that he was, by the interest of the Duke of Rutland, soon to be one of the representatives in parliament, for the town of Scarborough. After several weeks stay at the principal inn, at Scarborough, his imposture was detected by his inability to pay the bill. Soon after his arrival in London he was arrested for this debt, and thrown into prison. He had been eight years and a half in confinement, when a Miss Nation, of Devonshire, to whom he had become known, paid his debts, took him from prison, and gave him her hand in marriage.

Soon after he was liberated, he had the good fortune to prevail with some highly respectable merchants in Devonshire to take him into partnership with them, and with a clergyman to accept his drafts to a large amount. He made, upon this foundation, a splendid appearance in London, and, before the general election, even proceeded to canvass the rotten borough of Queenborough. Suspicions in the mean time arose, in regard to his character, and the state of his fortune. He retired from the indignation of his creditors, and was declared a bankrupt in order to bring his villainies to light. Thus having left behind his second wife and two infant children, at Tiverton, he visited other places; and at length, in July 1802, arrived at the Queen's Head, in Keswick, in a carriage, but without any servant, where he assumed the name of the Honourable Alexander Augustus Hope, brother of the Earl of Hopetoun, and member for Linlithgow. Unfortunately some evil genius directed his steps to the once happy cottage of poor Mary, the daughter of Mr. and Mrs. Robinson, an old couple, who kept a

small public-house at the side of the beautiful lake of Buttermere, Cumberland, and by his industry gained a little property. She was the only daughter, and probably her name had never been known to the public, but for the account given of her by the author of "A fortnight's ramble to the lakes in Westmoreland, Lancashire, and Cumberland." He now became acquainted with an Irish gentleman, and member of the then Irish parliament, who had been resident with his family some months at Keswick. With this gentleman, and under his immediate protection, there was likewise a young lady of family and fortune, and of great personal attraction. One of the means which Hatfield used to introduce himself to this respectable family was the following:—Understanding that the gentleman had been a military man, he took an army list from his pocket, and pointed to his assumed name, the Honourable Alexander Augustus Hope, lieutenant-colonel of the 14th regiment of foot. This new acquaintance daily gained strength; and he shortly paid his addresses to the daughter of the above gentleman, and obtained her consent. The wedding clothes were brought; but, previously to the wedding-day being fixed, she insisted that the pretended Colonel Hope should introduce the subject formally to her friends. He now pretended to write letters, and, while waiting for the answers, proposed to employ that time in a trip to Lord Hopetoun's seat, &c.

From this time he played a double game; his visits to Keswick became frequent, and his suit to the young lady assiduous and fervent. Still, however, both at Keswick and Buttermere, he was somewhat shy of appearing in public. He was sure to be engaged in a fishing expedition on the day on which any company was expected at the public-house at Buttermere; and he never attended the church at Keswick but once.

Finding his schemes baffled to obtain this young lady and her fortune, he now applied himself wholly to gain possession of Mary Robinson. He made the most minute inquiries among the neighbours into every circumstance relating to her and her family, and at length the pretended Colonel Hope, in company with the clergyman, procured a licence

on the 1st of October, and they were publicly married in the church of Lorton, on Saturday, the 2d of October.

On the day previous to his marriage, he wrote to Mr. ——— informing him, that he was under the necessity of being absent for ten days on a journey into Scotland, and sent him a draft for thirty pounds drawn on Mr. Crumpt of Liverpool, desired him to cash it, and pay some small debts in Keswick with it, and send him over the balance, as he feared he might be short of cash on the road. This Mr. ——— immediately did, and sent him ten guineas in addition to the balance. On the Saturday, Wood, the landlord of the Queen's Head, returned from Lorton with the public intelligence, that Colonel Hope had married the Beauty of Buttermere. As it was clear, whoever he was, that he had acted unworthily and dishonourably, Mr. M———'s suspicions were of course awakened. He instantly remitted the draft to Mr. Crumpt, who immediately accepted it. Mr. M———, the friend of the young lady whom he first paid his addresses to, wrote to the earl of Hopetoun. Before the answer arrived, the pretended honourable returned with his wife to Buttermere. He went only as far as Longtown, when he received two letters, seemed much troubled that some friends whom he expected had not arrived there, stayed three days, and then told his wife that he would again go back to Buttermere. From this time she was seized with fears and suspicions. They returned, however, and their return was made known at Keswick. The late Mr. Harding the barrister, and a Welch Judge, and a very singular man, passing through Keswick, heard of this impostor, and sent his servant over to Buttermere with a note to the supposed Colonel Hope, who observed, "that it was a mistake, and that the note was for a brother of his." However, he sent for four horses, and came over to Keswick; drew another draft on Mr. Crumpt, for twenty pounds, which the landlord at the Queen's Head had the courage to cash. Of this sum, he immediately sent the ten guineas to Mr. ———, who came and introduced him to the judge, as his old friend Colonel Hope. But he made a blank denial that he had ever assumed the name.

He had said his name was Hope, but not that he was the honourable member for Linlithgow, &c. &c. and one who had been his frequent companion, his intimate at Buttermere, gave evidence to the same purpose.

In spite, however, of his impudent assertions, and those of his associate, the evidence against him was decisive. A warrant was given by Sir Frederic Vane on the clear proof of his having forged and received several franks as the member for Linlithgow, and he was committed to the care of a constable. Having, however, found means to escape, he took refuge for a few days on board a sloop off Ravenglass, and then went in the coach to Ulverstone, and was afterwards seen at the hotel in Chester. In the mean time the following advertisement, setting forth his person and manners, was in the public prints:—

"NOTORIOUS IMPOSTOR, SWINDLER, AND FELON!

John Hatfield, who lately married a young woman, commonly called the Beauty of Buttermere, under an assumed name: height about five feet ten inches: aged about forty-four; full face, bright eyes, thick eyebrows, strong but light beard, good complexion, with some colour; thick, but not very prominent nose, smiling countenance, fine teeth, a scar on one of his cheeks near the chin, very long thick light hair, and a great deal of it grey done up in a club; stiff square shouldered, full breast and chest, rather corpulent, and strong limbed but very active; and has rather a spring in his gait, with apparently a little hitch in bringing up one leg; the two middle fingers of his left hand are stiff from an old wound; he has something of the Irish brogue in his speech: fluent and elegant in his language, great command of words, frequently puts his hand to his heart; very fond of compliments, and generally addressing himself to persons most distinguished by rank or situation; attentive in the extreme to females, and likely to insinuate himself where there are young ladies. He was in America during the war; is fond of talking of his wounds and exploits there,

and of military subjects, as well as of Hatfield Hall, and his estates in Derbyshire and Cheshire; and of the antiquity of his family, whom he pretends to trace to the Plantagenets. He makes boast of having often been engaged in duels: he has been a great traveller also, by his own account, and talks of Egypt, Turkey, and Italy; and, in short, has a general knowledge of subjects, which, together with his engaging manners, is well calculated to impose on the credulous. He had art enough to connect himself with some very respectable merchants in Devonshire, as a partner in business, but having swindled them out of large sums, he was made a separate bankrupt in June, 1802. He cloaks his deceptions under the mask of religion, appears fond of religious conversation, and makes a point of attending Divine service and popular preachers."

Though he was personally known in Cheshire to many of the inhabitants, yet this specious hypocrite had so artfully disguised himself, that he quitted the town without any suspicion, before the Bow-street officers reached that place in quest of him. He was then traced to Brielth in Brecknockshire, and was at length apprehended about sixteen miles from Swansea, and committed to Brecon jail. He had a cravat on, with his initial, J. H. which he attempted to account for by calling himself John Henry.

Before the magistrates he declared himself to be Tudor Henry; and, in order to prepossess the honest Cambrians in his favour, boasted that he was descended from an ancient family in Wales, for the inhabitants of which country he had ever entertained a sincere regard. He was, however, conveyed up to town by one of the Bow-street officers, where he was examined on his arrival before the magistrates. The solicitor for his bankruptcy attended to identify his person, and stated, that the commission of bankruptcy was issued against Hatfield in June, 1802; that he attended the last meeting of the commissioners, but the prisoner did not appear, although due notice of the bankruptcy had been given in the Gazette, and he himself had given a personal notice to the prisoner's wife, at Wakefield, near Tiverton, Devon. Mr. Parkyn, the solicitor to the

post-office, produced a warrant from Sir Fletcher Vane, Bart. a magistrate for the county of Cumberland, against the prisoner, by the name of the Hon. Alexander Augustus Hope, charging him with felony, by pretending to be a member of parliament of the United Kingdom, and franking several letters by the name of A. Hope, to several persons, which were put into the post-office at Keswick, in Cumberland, in order to evade the duties of postage. Another charge for forgery, and the charge of bigamy, were explained to him, but not entered into, as he was committed for trial for these charges at the next assizes at Carlisle. He conducted himself with the greatest propriety during his journey to town, and on his examination; but said nothing more than answering a few questions put to him by Sir Richard Ford and the solicitors. He was then dressed in a black coat and waistcoat, fustian breeches, and boots, and wore his hair tied behind without powder. His appearance was respectable, though quite in dishabille. The Duke of Cumberland, and several other gentlemen, were present at his examination; in the course of which the following letter was produced:

"*Keswick, October the* 1*st*, 1802.

John Crumpt, Esq. Liverpool.

Free, A Hope.

"Buttermere, Oct. 1, 1802,

"DEAR SIR,

"I have this day received Mr. Kirkman's kind letter from Manchester, promising me the happiness of seeing you both in about ten days, which will indeed give me great pleasure; and you can, too, be of very valuable service to me at this place, particulars of which, when we meet, though I shall probably write to you again in a few days—the chief purpose for which I write this is to desire you will be so good as to accept a bill for me, dated Buttermere, the 1st of October, at ten days, and I will either give you cash for it here, or remit it to you in time,

which ever way you please to say. It is drawn in favour of Nathaniel Montgomery Moore. Esq. Be pleased to present my best respects to your lady; and say I hope, ere the winter elapses, to pay her my personal respects; for, if you will manage so as to pass a little time with me in Scotland, I will promise to make Liverpool in my way to London.

"With the truest esteem,

"I am, dear sir,

"Your's ever,

"A. HOPE."

This letter, it was proved, passed free of postage. Another letter was also produced from his wife at Tiverton, and a certificate of his marriage with Mary of Buttermere. His trial came on August 15, 1803, at the assizes for Cumberland, before the Honourable Alexander Thompson, Knight. He stood charged upon the three following indictments:

1. With having assumed the name and title of the Honourable Alexander Augustus Hope, and pretending to be a member of parliament of the united kingdom of Great Britain and Ireland; and with having, about the month of October last, under such false and fictitious name and character, drawn a draft, or bill of exchange, in the name of Alexander Hope, upon John Crumpt, Esq. for the sum of £20, payable to George Wood, of Keswick, Cumberland, inn-keeper, or order, at the end of fourteen days from the date of the said draft or bill of exchange.

2. With making, uttering, and publishing as true, a certain false, forged, and counterfeit bill of exchange, with the name of Alexander Augustus Hope thereunto falsely set and subscribed, drawn upon John Crumpt, Esq. dated the 1st of October, 1802, and payable to Nathaniel Montgomery Moore, or order, ten days, after date, for £30 sterling.

3. With having assumed the name of Alexander Hope,

and pretending to be a member of parliament of the United Kingdom of Great Britain and Ireland, the brother of the Right Hon. Lord Hopetoun, and a colonel in the army; and under such false and fictitious name and character, at various times in the month of October, 1812, having forged and counterfeited the hand-writing of the said Alexander Hope, in the superscription of certain letters or packets, in order to avoid the payment of the duty of postage.

The prisoner pleaded not guilty to the charge.

The three several indictments being read, Mr. Scarlet opened the case in an address to the jury: and gave an ample detail of the prisoner's guilt.

In support of what he had advanced he called Mr. Quick, who was clerk in the house at Tiverton, where Hatfield was partner, who swore to his hand-writing.

The Rev. Mr. Nicholson swore that when the prisoner was asked his name, he said, it was a comfortable one, Hope. The other witnesses were Mr. Joseph Skelton, of Rockliffe, Cumberland; Mr. George Wood of Keswick, innkeeper; John Gregory Crump, and Colonel Parke, who was well acquainted with the real Colonel Hope.

The evidence for the prosecution having closed, the prisoner then addressed himself to the jury. He said he felt some degree of satisfaction in being able to have his sufferings terminated, as they must of course be by their verdict. For the space of nine months he had been dragged from prison to prison, and torn from place to place, subject to all the misrepresentations of calumny. "Whatever will be my fate," said he, "I am content; it is the award of justice, impartially and virtuously administered. But I will solemnly declare, that in all my transactions, I never intended to defraud or injure the persons whose names have appeared in the prosecution. This I will maintain to the last of my life."

The prisoner called in his defence,——Newton, attorney, at Chester; who said he was employed by the prisoner in the summer assizes in recovering an estate in the county of Kent. He understood the prisoner's father to be a respect-

able man; some of the family very opulent. Believes the prisoner has a mother-in-law; says the prisoner is married; never knew him to bear any other name than John Hatfield; he married a lady of the name of Nation. His assignees have sold the estate in question. Witness knows nothing of his circumstances previous to the recovery of the estate. It was rented at £100 per annum. Does not know why the prisoner quitted Devonshire. Did not then travel in his own carriage, but formerly kept a carriage.

After the evidence was gone through, his Lordship, Sir A. Thompson, with a great deal of perspicuity and force, summed up the whole of the evidence, and commented upon such parts as peculiarly affected the fate of the prisoner. "Nothing," his Lordship said, "could be more clearly proved than that the prisoner did make the bill or bills in question under the assumed name of Alexander Augustus Hope, with an intention to defraud. That the prisoner used the additional name of Augustus was of no consequence in this question. The evidence proved clearly that the prisoner meant to represent himself to be another character; and under that assumed character, he drew the bills in question. If any thing should appear in mitigation of the offences with which the prisoner was charged, they must give them a full consideration; and though his character had been long shaded with obloquy, yet they must not let this in the least influence the verdict they were sworn to give."

The jury consulted about ten minutes, and then returned a verdict—Guilty of Forgery.

The trial commenced about eleven o'clock in the forenoon, and ended about seven in the evening, during the whole of which time the court was excessively crowded. The prisoner's behaviour in court was proper and dignified, and he supported his situation from first to last with unshaken fortitude. He employed himself during the greatest part of his trial in writing notes on the evidence given, and in conversing with his counsel, Messrs. Topping and Holroyd.

When the verdict of the jury was given, he discovered no

relaxation of his accustomed demeanour. After the court adjourned, he retired from the bar, and was ordered to attend the next morning to receive the sentence of the law. The crowd was immense, and he was allowed a post chaise from the Town-hall to the gaol.

At eight o'clock the next morning, the court met again, when the prisoner appeared at the bar to receive his sentence. Numbers of people gathered together to witness this painful duty of the law passed upon one whose appearance, manners, and actions, had excited a most uncommon degree of interest. After proceeding in the usual form, the judge addressed the prisoner in the following impressive terms:

"John Hatfield, after the long and serious investigation of the charges which have been preferred against you, you have been found guilty by a jury of your country—

"You have been distinguished for crimes of such magnitude as have seldom, if ever, received any mitigation of capital punishment, and in your case it is impossible it can be limited. Assuming the person, name, and character, of a worthy and respectable officer, of a noble family in this country, you have perpetrated and committed the most enormous crimes. The long imprisonment you have undergone has afforded time for your serious reflection, and an opportunity of your being deeply impressed with a sense of the enormity of your crimes, and the justness of that sentence which must be inflicted upon you; and I wish you to be seriously impressed with the awfulness of your situation. I conjure you to reflect with anxious care and deep concern on your approaching end, concerning which much remains to be done. Lay aside now your delusions and imposition, and employ properly the short space you have to live. I beseech you to employ the remaining part of your time in preparing for eternity, so that you may find mercy at the hour of death, and in the day of judgment. Hear now the sentence of the law:—That you be carried from hence to the place from whence you came, and from thence to the place of execution, and there to be hanged by the neck till you are dead; and may the Lord have mercy on your soul!"

A notion very generally prevailed that he would not be brought to justice, and the arrival of the mail was daily expected with the greatest impatience. No pardon arriving, September 3, 1803, (Saturday) was at last fixed upon for the execution.

The gallows was erected the preceding night between twelve and three, in an island formed by the river Eden, on the north side of the town, between the two bridges. From the hour when the jury found him guilty, he behaved with the utmost serenity and cheerfulness. He received the visits of all who wished to see him, and talked upon the topics of the day with the greatest interest and indifference. He could scarcely ever be brought to speak of his own case. He neither blamed the verdict, nor made any confession of his guilt. He said that he had no intention to defraud those whose names he forged; but was never heard to say that he was to die unjustly. None of his relations ever visited him during his confinement.

The alarming nature of the crime of forgery, in a commercial country, had taught him from the beginning to entertain no hope of mercy. By ten in the morning of September 3, his irons were struck off: he appeared as usual, and no one observed any alteration or increased agitation whatever.

Soon after ten o'clock he sent for the Carlisle Journal, and perused it for some time: a little after he had laid aside the paper, two clergymen (Mr. Pattison, of Carlisle, and Mr. Mark, of Burgh-on-Sands,) attended and prayed with him for about two hours, and drank coffee with him. After they left him, about twelve, he wrote some letters, and in one inclosed his penknife: it was addressed to London. About this time he also shaved himself: though intrusted with a razor, he never seems to have meditated an attempt, notwithstanding it was generally reported on Friday night that he had poisoned himself; but it was founded merely on what was reckoned probable. Soon after twelve, a gentleman called upon him. In a strain of affected politeness, he apologized for being found in dishabille. To all who spoke with him, he pretended that what he had to suffer was

a matter of little consequence. He preferred talking on indifferent subjects.—At three he dined with the gaoler, and ate heartily. Having taken a glass or two of wine, he ordered coffee. He took a dish a few minutes before he set out for the place of execution. The last thing he did was to read a chapter from the 2d of Corinthians. He had previously marked out this passage for his lesson before he was to mount the scaffold.

The sheriffs, the bailiffs, and the Carlisle volunteer cavalry, attended at the gaol-door about half past three, together with a post-chaise and a hearse. He was then ordered into the turnkey's lodge, for the purpose of being pinioned, where he inquired of the gaoler, Who were going in the chaise with him? He was told the executioner and the gaoler. He immediately said, "Pray, where is the executioner? I should wish much to see him." The executioner was sent for. Hatfield asked how he was, and made him a present of some silver in a paper. During the time of his being pinioned, he stood with resolution, and requested he might not be pinioned tight, as he wished to use his handkerchief when on the platform; which was complied with. A prodigious crowd had assembled: this was the market-day, and people had come from the distance of many miles out of mere curiosity. Hatfield, when he left the prison, wished all his fellow-prisoners might be happy: he then took farewel of the clergymen, who attended him to the door of the chaise, and mounted the steps with much steadiness and composure. The gaoler and the executioner went in along with him. The latter had been brought from Dumfries upon a retaining fee of ten guineas.

It was exactly four o'clock when the procession moved from the gaol. Passing through the Scoth gate, in about twelve minutes it arrived at the sands. Half the yeomanry went before the carriage, and the other half behind. Upon arriving on the ground, they formed a ring round the scaffold. It is said that he wished to have had the blinds drawn up, but that such an indulgence was held inconsistent with the interest of public justice.—When he came in sight

of the tree, he said to the gaoler, he imagined that was th tree (pointing at it) that he was to die on. On being tol yes, he exclaimed, "Oh! a happy sight, I see it wit pleasure!"

As soon as the carriage-door had been opened by th under-sheriff, the culprit alighted with his two companion A small dung-cart, boarded over, had been placed und the gibbet. A ladder was placed to this stage, which h instantly ascended. He was dressed in a black jacke black silk waistcoat, fustian pantaloons, white cotton stock ings, and ordinary shoes. He wore no powder in his hai He was perfectly cool and collected. At the same time h conduct displayed nothing of levity, of insensibility, or hardihood. He was more anxious to give proof of resig nation than of heroism. His countenance was extremel pale, but his hand never trembled.

He immediately untied his neck handkerchief, and place a bandage over his eyes. Then he desired the hangma who was extremely awkward, to be as expert as possib about it, and that he would wave a handkerchief when h was ready. The hangman not having fixed the rope in i proper place, he put up his hand, and turned it himsel He also tied his cap, took his handkerchief from his ow neck, and tied it about his head also. Then he requeste the gaoler would step upon the platform, and pinion h arms a little harder, saying, that when he had lost his sense he might attempt to place them to his neck. The rope wa completely fixed about five minutes before four o'clock: was slack, and he merely said, "May the Almighty ble you all." Nor did he falter in the least, when he tied th cap, shifted the rope, and took his handkerchief from h neck.

He several times put on a languid and piteous smil He at last seemed rather exhausted and faint. Havin been near three weeks under sentence of death, he mu have suffered much, notwithstand his external bearing; an a reflection of the misery he had occasioned must hav given him many an agonizing throb.

Having taken leave of the gaoler and the sheriff, he pre

pared himself for his fate. He was at this time heard to exclaim, "My spirit is strong, though my body is weak."

Great apprehensions were entertained that it would be necessary to tie him up a second time. The noose slipped twice, and he fell down above eighteen inches. His feet at last were almost touching the ground. But his excessive weight, which occasioned this accident, speedily relieved him from pain. He expired in a moment, and without any struggle. The ceremony of his hands being tied behind his back was satisfied by a piece of white tape passed loosely from the one to the other. But he never made the smallest effort to relieve himself. He had calculated so well, that his money exactly carried him to the scaffold. As they were setting out, the hangman was going to search him. He threw him half-a-crown, saying, "This is all that my pockets contain."—He had been in considerable distress before he received a supply from his father. He afterwards lived in great style, frequently making presents to his fellow felons. He was considered in the gaol as a kind of emperor: he was allowed to do whatever he pleased, and no one took offence at the air of superiority which he assumed.

He was cut down after he had hung about an hour. On the preceding Wednesday, he had applied to one of the clergymen who attended him (Mr. Pattison) to recommend him a tradesman to make his coffin. Mr. Joseph Bushby, of Carlisle, took measure of him. He did not appear at all agitated while Mr. Bushby was so employed; but told him that he wished the coffin to be a strong oak one, plain and neat. "I request, Sir, he added, "that after I am taken down, I may be put into the coffin immediately, with the apparel I may have on, and afterwards closely screwed down, put into the hearse which will be in waiting, carried to the church-yard of Burgh-on-Sands, and there be interred in the evening."

The coffin, which was made of oak, was, however, adorned with plates, and extremely handsome every way. A hearse, which was in waiting according to his order, followed with it to the ground, and afterwards bore him [illegible] seems

he had a great terror of his body being taken up, and though he was told that it would be safer for him to be buried in the city, yet he preferred Burgh, a place extremely sequestered (about ten miles west from Carlisle); but the conscientious parishioners of Burgh objected to his being laid there, and the body was consequently conveyed in the hearse to St. Mary's Church-yard (the usual place for those who come to an untimely end), close by the northern gate. The spot was fixed upon in a distant corner of the church-yard, far from the other tombs. Several men then set to work to dig a grave. No priest attended, and the coffin was lowered without any religious service. Notwithstanding his various and complicated enormities, his untimely end excited considerable commiseration in the place. His manners were extremely polished and insinuating, and he was possessed of qualities which might have rendered him an ornament to society.

The unfortunate Mary of Buttermere went from home to avoid the impertinent visits of unfeeling curiosity. By all accounts she was much affected; and, indeed, without supposing that any part of her former attachment remained, it is impossible that she could view with indifference the tragical fate of one with whom she had been on such a footing. When her father and mother heard that Hatfield had certainly been hanged, they both exclaimed, "God be thanked!"

FRANCIS SMITH,

Condemned to death, for the murder of the supposed Hammersmith ghost, but whose punishment was commuted for imprisonment.

SUPERSTITION of old, in the beginning of the enlightened year 1804, was revived in the vicinity of Hammersmith, near London, where the inhabitants were possessed

with an opinion, that a ghost haunted their neighbourhood, but the fancied spectre was proved to be composed of human flesh and blood, which was unfortunately mangled, and shed unto death by the unhappy man whose case is now before us.

The wanton performer of the pretended spirit, merited severe punishment, for, with the frogs to the mischievous boys, who were pelting them with stones, they might truly have said, "It is *sport* to you, but death to us." Besides the poor man who lost his life, being mistaken for this mimic ghost, Smith was condemned to die for the murder.

One poor woman in particular, who was far advanced in her pregnancy of a second child, was so much shocked, that she took to her bed, and survived only two days. She had been crossing near the church-yard about ten o'clock at night, when she beheld something, as she described, rise from the tomb-stones. The figure was very tall, and very white! She attempted to run, but the ghost soon overtook her, and pressing her in his arms, she fainted; in which situation she remained some hours, till discovered by some neighbours, who kindly led her home, when she took to her bed, from which, alas! she never rose.

The ghost had so much alarmed a waggoner belonging to Mr. Russel, driving a team of eight horses, and which had sixteen passengers at the time, that the driver took to his heels, and left the waggon and horses so precipitately, that the whole was greatly endangered.

Neither man, woman, nor child, could pass that way for some time past; and the report was, that it was the apparition of a man who had cut his throat in the neighbourhood above a year ago.

Several lay in wait different nights for the ghost; but there were so many bye-lanes and paths leading to Hammersmith, that he was always sure of being on that which was unguarded, and every night played off his tricks to the terror of the passengers!

Francis Smith, doubtless incensed at the unknown person who was in the habit of assuming this supernatural character, and thus frightening the superstitious inhabitants of

the village, rashly determined on watching for, and shooting the ghost; when unfortunately he shot a poor innocent man, Thomas Millwood, a bricklayer, who was in a white dress, the usual habiliment of his occupation. This rash act having been judged wilful murder by the coroner's inquest, Smith was accordingly committed to gaol, and took his trial at the ensuing sessions at the Old Bailey, January 13; when Mr. John Locke, wine-merchant, living in Hammersmith, stated, that on the 3d of January, about half-past ten in the evening, he met the prisoner, who told him he had shot a man, whom he believed to be the pretended ghost of Hammersmith.

A rumour of a ghost walking about at night had prevailed for a considerable time. He went with the prisoner, in company with Mr. Stowe and a watchman, up Limekiln-lane, to Black-lion-lane, where the deceased was lying apparently dead.

The witness and Mr. Stowe consulted together upon what was proper to be done, and they directly sent for the high constable. The body had no appearance of life; there was a shot in the left jaw. The prisoner was much agitated. The witness told him the consequences likely to be the result of his conduct. The prisoner replied, that he fired, but did not know the person whom he had shot; he also said, that before he fired, he spoke twice to the deceased, but received no answer.

Mr. Const, for the prisoner, cross-examined this witness. For five weeks previous to this melancholy catastrophe, the ghost had been the subject of general conversation in Hammersmith. He had never seen it. The dress in which the ghost was said to appear, corresponded with that worn by the deceased, being white. The deceased had on white trousers, down to his shoes; a white apron round him, and a flannel jacket on his body. The ghost sometimes appeared in white, and frequently in a calf's skin.

The prisoner was so agitated when the witness met him, that he could hardly speak. The deceased, after the prisoner called out, continued to advance towards him, which augmented his fear so much that he fired. The witness

described the evening as very dark: Black-lion lane was very dark at all times, being between hedges; and on that evening it was so very obscure, that a person on one side of the road could not distinguish an object on the other.

The prisoner, when he first mentioned the accident, expressed to the witness his wish that he would take him into custody, or send for some person to do so. The prisoner was a man mild and humane, and of a generous temper.

William Girdle, the watchman, in Hammersmith, after stating that he went to the spot with Mr. Locke, described the posture in which the deceased was found. He was lying on his back, stretched out, and quite dead. His left jaw was broken by a shot. The prisoner came to the witness, and said he had hurt a man, and he was afraid very badly. Previous to this the prisoner told him he was going to look after the ghost. The witness replied that he would join him, after crying the hour, and that they would search the lanes together. They agreed on a watch-word: "Who comes there?—A friend.—Advance friend." The witness went his rounds, and just before he got to Blacklion-lane, he heard the report of a gun. He took no notice of that circumstance, as he frequently heard firing in the night. He did not see a gun lying by the deceased. The prisoner offered to deliver himself up.

On his cross-examination, the witness said that he himself was armed with a pistol, as other watchmen are. He had seen the supposed ghost himself on the Thursday before, being the 29th of December. It was covered with a sheet or large table cloth. He encountered it opposite the four-mile stone, and pursued it, but without success, as the spirit pulled off the sheet and ran. The alarm had been very great for six weeks or two months, and many people had been terribly frightened. He knew the prisoner, and he was nothing like a cruel man.

Anne Milwood, sister to the deceased, was next called. The Lord Chief Baron lamented that any questions relative to this melancholy affair should be put to her, but for the ends of justice they were rendered indispensibly necessary. She stated, that she lived with her father and mother; be-

tween ten and eleven of the evening of the third of January, her brother called; he had been to inquire for his wife, who was at Mr. Smith's, the outrider. The witness and her mother were going to bed, and her mother asked the deceased, whether his wife had come home? He replied, that she had not. She then desired him to sit down, and wait for her half an hour. He sat till the witness heard the clock go eleven. She then desired him to go home; and he got up and went away, wishing the witness a good night. He shut the door behind him, and the witness directly went and opened it, stepped out, and stood on some bricks, looking after him. At that instant she heard a voice exclaim, "Damn you, who are you, and what are you? I'll shoot you, if you don't speak." This address was directly followed by the discharge of a gun. The witness exceedingly alarmed for her brother's safety, called out Thomas, three or four times. The witness then went into the house, but she could not persuade either her father, mother, or a gentleman who lodged with them, that any accident had befallen her brother. She went out alone, and found him quite dead. She ran for assistance to a neighbour's house, and in returning from it, she saw the prisoner, Mr. Locke, Mr. Stowe, and the watchman.

Her brother was in his usual working-dress, as described by the first witness in his cross-examination. The witness added, that she had heard great talk of a ghost stalking up and down the neighbourhood, all in white, with *horns* and *glass eyes*, but she did not know that any body had ever watched in order to discover and detect the impostor.

Mr. Flower, a surgeon at Hammersmith, saw the body the day following the accident: on the 6th instant examined it by order of Mr. Hodgson, the coroner. He found that the deceased had received a gun-shot wound on the left lower jaw, with small shot, as he thought, No. 4, which penetrated to the vertebra of the neck, and injured the spinal marrow, which is a continuation of the brain. The face of the deceased was black, and that blackness was occasioned by the discharge of powder from a gun. The wound in the jaw was doubtless the cause of Milwood's death. He knew

Smith; he was not a vindictive, but, on the contrary, a remarkably mild man.

A constable then stated, that the prisoner had surrendered to him, and that he had been two days in his custody.

This finished the case for the prosecution.

The prisoner having been called upon for his defence, said he would leave it to his counsel; but, on being told that they could not speak on his behalf, being only allowed to examine his witnesses, he stated, that he went out with no bad design or intention; and that when the unfortunate accident happened, he knew not what he did. He solemnly declared his innocence, and that he had no intention or idea of taking the life of any one.

The prisoner's counsel then called Mrs. Fullbrook, mother-in-law to the deceased: she said, that on the Saturday evening before his death, he told her that two ladies and a gentleman had taken fright at him, as he was coming down the Terrace, thinking he was the ghost. He told them he was no more a ghost than any of them, and asked the gentleman if he wished for a punch in the head. The witness advised the deceased in future to put on a great coat, in order that he might not encounter any danger.

Thomas Groom was called, as it would appear, to prove that some supernatural being actually visited the town of Hammersmith. He said he was servant to Mr. Burgess, a brewer, and that as he and a fellow-servant were going through the church-yard, one night, something, which he did not see, caught hold of him by the throat.

A number of witnesses were then called to the prisoner's character, which they described as mild and gentle in the extreme.

One of these witnesses said, he had known the prisoner for fifteen years; and, during that period, his life had been marked by singular acts of humanity and benevolence.

The Lord Chief Baron then proceeded to address the jury. His lordship observed, that nothing which had been said, or had appeared in this case, could possibly change the nature of the offence from murder. Although malice was necessary to make out the crime of murder, yet it was

not necessary, according to law, to prove that the prisoner had known the deceased, or had cherished any malice, as was vulgarly called, spite against him. If a man shot fire into the hall, where he was now sitting, and killed a body at random, such a deed was murder. On the same principle, if a person was killed by design, without any authority, but from a supposition that the person ought to be killed, such an act was also murder, unless the killing was accidental.

If a man went out armed on the highway, intending to shoot robbers, and should decide in his own mind, that any individual whom he might see was a robber, and should kill the man who actually was not a robber, such an act would be held as murder.

However disgusted the jury might feel in their own minds with the abominable person guilty of the misdemeanour of terrifying the neighbourhood, still the prisoner had no right to construe such misdemeanour into a capital offence, or to conclude that a man dressed in white was a ghost. It was his own opinion, and was confirmed by that of his learned brethren on the bench, that if the facts stated in evidence were credible, the prisoner had committed murder. In this case there was a deliberate carrying out a loaded gun, which the prisoner concluded he was entitled to fire, but which he really was not; and he did fire it with a rashness which the law does not excuse. In all circumstances of the case, no man is allowed to kill another rashly.

His lordship here recapitulated the evidence, and commented on the defence made by the prisoner, which he remarked was singular. The prisoner had gone out persuaded that he was to meet a man, and yet when he did encounter him, he was so terrified as to be unconscious of what he did.

The prisoner had received an excellent character; and here his lordship explained the reason why no witness but one could speak to his character farther than two years. The prisoner was an excise-officer, and, as such, liable

be removed and shifted from one situation to another, so that it was a great chance if he remained long in one place.

His lordship was afraid that his good character could not avail, in point of law, in that place, whatever effect it might have in another quarter, which did not become him to conjecture.

The jury retired for above an hour, and returned a verdict "Guilty of Manslaughter."

On hearing this verdict it was stated by the bench, that such a judgment could not be received in this case; for it ought either to be a verdict of *murder* or of *acquittal*. If the jury believed the facts, there was no extenuation that could be admitted; for supposing that the unfortunate man was the individual really meant to have been shot, the prisoner would have been guilty of murder. Even with respect to civil processes; if an officer of justice uses a deadly weapon, it is murder, if he occasions death by it, even although he had a right to apprehend the person he had so killed.

Mr. Justice Rooke.—"The court have no hesitation whatever, with regard to the law, and, therefore, the verdict must be—"Guilty of Murder," or "A total acquittal from want of evidence."

Mr. Justice Lawrence.—"You have heard the opinion of the whole court is settled as to the law on this point, it is therefore unnecessary for me to state mine in particular. I perfectly agree with the learned judge who stated the law in so clear and able a manner. If an officer kills a person whom he had a right to apprehend, upon suspicion of felony, he is guilty of murder, except in particular cases. Now this man was not even attempting to run away, supposing it had been the very person who was guilty of the misdemeanour; there was, therefore, no excuse for killing him. But though it had been the person who was alarming the neighbourhood, the prisoner had no right to kill him, even if he should attempt an escape, for the crime is only a misdemeanour. Upon every point of view, this case is, in the eye of the law, a murder, if it be proved by the facts. Whether it has or not is for you to determine, and return

your verdict accordingly. The law has been thus stated by Justice Foster, and all the most eminent judges."

Recorder.—"I perfectly agree with the learned judges who have spoken. Gentlemen, consider your verdict again."

The jury then turned round, and, after a short consultation, returned their verdict "Guilty."

Lord Chief Baron.—"The case, gentlemen, shall be reported to his Majesty immediately."

The Recorder then passed sentence of death on the prisoner in the usual form; which was, that he should be executed on Monday next, and his body given to the surgeons to be dissected.

The prisoner, who was dressed in a suit of black clothes, was then twenty nine years of age, a short, but well-made man, with dark hair and eye-brows; and the pallid hue of his countenance, during the whole trial, together with the signs of contrition which he exhibited, commanded the sympathy of every spectator.

Several of the prisoner's relations were present, and apparently in great distress.

The Sessions-house was crowded in every part by nine o'clock; and the yard was filled with an anxious multitude, all making inquiry, and interested in the fate of the prisoner; who, affected by shame and remorse, was now and then so seriously agitated, that he could with difficulty support himself. When called upon for his defence, his voice faltered, insomuch that it was not without a considerable effort he could articulate a word. On the retiring of the jury to reflect on his case, and the return of the verdict, he betrayed such apprehensions of real danger, as to deprive him of the power of sustaining himself without the friendly aid of a bye-stander.

When the jury returned, he made a sort of desperate effort—stood up, and endeavoured to attend to the verdict given. When the dreadful word "Guilty," was pronounced, he sunk into a state of stupefaction exceeding despair. He at last retired, supported by the servants of Mr. Kirby.

The Lord Chief Baron having told the jury, after they

had given their verdict, that he would immediately report the case to his Majesty, was so speedy in this humane office, that a "respite during pleasure" arrived at the Old Bailey, before seven o'clock, and on the 26th he received a pardon, on condition of being imprisoned one year.

THOMAS PICTON, ESQ.

Late Governor of Trinidad.

Convicted, February 24, 1806, of applying a most Cruel Torture, in order to extort Confession from Louisa Caldron.

"All mankind being exposed to the attempts of violence and perfidy, detest the crimes of which they may possibly be the victims: all desire that the principal offender and his accomplices may be punished; never theless, there is a natural compassion in the human heart, which makes all men detest the cruelty of torturing the accused into confession. The law has not condemned him, and yet, though uncertain of the crime, you inflict a punishment more horrible than that which they are to suffer when their guilt is confirmed. 'Possibly thou mayest be innocent; but I will torture thee that I may be satisfied; not that I intend to make thee any recompence for the thousand deaths which I have made thee suffer, in lieu of that which is preparing for thee.' Who does not shudder at the idea? St. Augustine opposed such cruelty. The Romans tortured their slaves only; and Quintillian, recollecting that they were men, reproved the Romans for such want of humanity."

Voltaire on Crimes and Punishments.

Previously to entering into the most extraordinary case of our whole Criminal Chronology—a case, we may truly

say, in times enlightened and merciful, perfectly singular, we have made a long quotation from this Philosopher's opinion on the crime for which an English Governor was convicted—putting a female to the torture.

The indictment on which Governor Picton was brought to trial on the day first mentioned, charged him with inflicting torture, in order to extort confession of Louisa Caldron, one of his majesty's subjects in the island of Trinidad, in the West Indies.

Mr. Garrow rose to address the jury, and said, that the duty had devolved to him, by the removal of a learned gentleman* from this court to an exalted station; which deprived them of the advantage of his greater abilities, to lay before them a statement of the singular and horrid transaction which was the subject of this prosecution; and although he should acquit himself zealously of the obligation imposed upon him, to bring to light, and condign punishment, an offence so flagrant as that charged upon the defendant, yet much more happy would he be, to find that there was no ground upon which the charge could be supported, and that the British character was not stained by the adoption of so cruel a measure as that alledged in this prosecution.

"The island of Trinidad (added Mr. Garrow) surrendered to that illustrious character, Sir Ralph Abercrombie, whose name will ever invite gratitude and admiration, in the year 1797; and he entered into a stipulation, by which he conceded to the inhabitants, the continuance of their laws, and appointed a new governor, until his Majesty's pleasure should be known, or in other words, until the king of England, in his paternal character, should extend to this new acquisition to his empire, all the sacred privileges of the laws of England. I have the authority of the defendant himself for stating, that the system of jurisprudence adopted under the Spanish monarch, for his colonial estab-

* Mr. Erskine, who was retained as leading counsel for the crown, and, a short time before the trial, was appointed Lord High Chancellor of England.

laments, were benignant, and adapted to the protection of the subject previous to the surrender of this island to the British arms.

"In December, 1801, when this crime was perpetrated, Isaac Calderon was of the tender age of ten or eleven years. At that early period she had been induced to live with a person of the name of Pedro Ruiz, as his mistress; however it appears to be very singular, that she should sustain such a situation at that time of life, yet it was a fact, that in this climate women often become mothers at twelve years old, and even in a state of concubinage, if, from their tuition, they could not form a more honourable connexion. While she lived with Ruiz, she was engaged in an intrigue with Carlos Gonzales, the pretended friend of the former, who robbed him of a quantity of dollars. Calderon was apprehended, and she also, as some suspicion fell upon her, in consequence of the affair. She was taken before the justice, as we, in our language, should denominate him, and in his presence she denied having any concern in the business. The magistrate felt that his powers were at an end, and whether the object of her mind were to protect herself or her friend is not material to the question before you. The extent of his authority being thus limited, this officer of justice resorted to General Nicolls, and is to produce, in the hand-writing of this defendant, this bloody sentence—'Inflict the torture upon Isaac Calderon.' You will believe there was no delay in proceeding to its execution. The girl was threatened with the gaol, that if she did not confess, she would be subjected to the torture: that under the process she might probably lose the limbs or her life, but the calamity would be on her own head, for if she would confess, she would not be required to endure it. While her mind was in the state of agitation this notice produced, her fears were aggravated by the introduction of two Portuguese negresses into her prison, who were to suffer under the same experiment for witchcraft, and as means of extorting confession. In this situation of alarm and horror, the young woman persisted in her innocence: the punishment was

inflicted, improperly called picketing, which is a military punishment, perfectly distinct. This is not picketing, but the torture. It is true, the soldier, exposed to this, does stand with his foot on a picket, or sharp piece of wood, but, in mercy to him, a means of reposing is afforded, on the rotundus major, or interior of the arm. This practice, I hope, will not in future be called 'Picketing,' but 'Pictoning,' that it may be recognized by the dreadful appellation which belongs to it. Her position may be easily described. The great toe was lodged upon a sharp piece of wood, while the opposite wrist was suspended in a pully, and the other hand and foot were lashed together. Another time the horrid ceremony was repeated, with this difference, that her feet were changed."

[The learned counsel here produced a drawing in water colours, in which the situation of the sufferer, and the magistrate, executioner, and secretary, was described. He then proceeded:]

"It appears to me, that the case, on the part of the prosecution, will be complete when these facts are established in evidence; but I am to be told, that though the highest authority in this country could not practise this on the humblest individual, yet, that by the laws of Spain it can be perpetrated in the Island of Trinidad. I should venture to assert, that if it were written in characters impossible to be understood, that if it were the acknowledged law of Trinidad, it could be no justification of a British Governor. Nothing could vindicate such a person, but the law of imperious necessity, to which we must all submit It was his duty to impress upon the minds of the people of that colony, the great advantages they would derive from the benign influence of British jurisprudence; and that in consequence of being received within the pale of this government, torture would be for ever banished from the island It is therefore, not sufficient for him to establish this sort of apology; it is required of him to shew, that he complied with the institutions under the circumstances of irresistable necessity. This governor ought to have been aware, that the torture is not known in England; and that it never will be, never can be, tolerated in this country.

"The trial by rack is utterly unknown to the law of England, though once, when the Dukes of Exeter and Suffolk, and other ministers of Henry VI. had laid a design to introduce the civil law into this kingdom, as the rule of government, for a beginning thereof they erected a rack for torture, which was called in derision the Duke of Exeter's daughter, and still remains in the Tower of London, where it was occasionally used as an engine of state, not of law, more than once in the reign of Queen Elizabeth. But when, upon the assassination of Villiers, Duke of Buckingham, by Felton, it was proposed in the Privy Council to put the assassin to the rack, in order to discover his accomplices: the judges, being consulted, declared unanimously, to their own honour, and the honour of the English law, that no such proceeding was allowable by the laws of England.

"Such are the observations of the elegant and learned author of the Commentaries of the law of England on this subject; and as the strongest method of shewing the horror of the practice, he gives this question in the form of an arithmetical problem.

"The strength of the muscles and the sensibility of the nerves, being given, it is required to know what degree of pain would be necessary to make any particular individual confess his guilt.

"But what are we to say to this man, who, so far from having found torture in practice under the former governors, has attached to himself all the infamy of having invented this instrument of cruelty? Like the Duke of Exeter's daughter, it never had existence until the defendant cursed the island with its production. I have incontestible evidence to shew this ingenuity of tyranny in a British Governor; and the moment I produce the sanguinary order, the man is left absolutely without defence. The date of this transaction is removed at some distance. It was directed that a commission should conduct the affairs of the government, and among the persons appointed to this important situation, was Colonel Fullarton. In the exercise of his duties in that situation, he attained the knowledge of these facts; and

with this information, he thought it incumbent on him to bring this defendant before you; and with the defendant, I shall produce the victim of this enormity, whom, from the accident of my being conducted into a room by mistake, I have myself seen. She will be presented before you, and you will learn she at this moment bears upon her the marks of the barbarity of the defendant. In due time you will hear what my excellent and amiable friend near me has to offer in behalf of his client; I state the case at present with full confidence in your verdict; I ask nothing from your passions; nothing but justice do I require, and I have no doubt at the end of this trial that you will be found to have faithfully exercised your important duty."

Louisa Calderon was then called. She appeared about eighteen years of age, of a very interesting countenance, being a Mulatto or Creole, of a very genteel appearance. She was dressed in white, with a turban of white muslin, tied on in the custom of the country. Her person was slender and graceful. She spoke English but very indifferently; and was examined by Mr. Adam, through the medium of a Spanish interpreter.

She deposed, that she resided in the island of Trinidad, in the year 1798; and lived in the house of Don Pedro Lewis, and remembered the robbery. She and her mother were taken up on suspicion, and brought before Governor Picton, who committed them to prison, under the escort of three soldiers; she was put into close confinement; and before she was taken there the governor said, "If she did not confess who had stolen the money, the hangman would have to deal with her." She knew Bagora, the magistrate, or Lord Mayor. He came to the prison, and examined her on the subject of the robbery many times, and on different days. De Castro, the clerk of the magistrate, also attended, and took down her depositions.

She was then carried to the room where the torture was prepared. Here her left hand was tied up to the cieling by a rope, with a pully; her right hand was tied behind, so that her right foot and hand came in contact, while the extremity of her left foot rested on the wooden spike.

A drawing, representing the exact situation, with the negro holding the rope by which she was suspended, was then shewn to her; when she gave a shudder, expressive of horror, which nothing but the most painful recollection of her situation could have excited; on which Mr. Garrow expressed his concern, that his lordship was not in a position to witness this accidental, but conclusive evidence of the fact.

Lord Ellenborough objected to the exhibition of this drawing to the jury, until Mr. Dallas, on the part of his client, permitted it to be shewn to them. The examination then proceeded, and the remainder of Louisa Calderon's evidence corroborated the statement of Mr. Garrow. She remained upon the spike three quarters of an hour, and the next day twenty two minutes. She swooned away each time before she was taken down, and was then put into irons, called the "Grillos," which were long pieces of iron, with two rings for the feet, fastened to the wall; and in this situation she remained eight months. A drawing of this instrument was also produced, which the witness said, was an exact representation.

The effect from this picketing was excruciating pain; her wrists and ancles were much swollen; and the former bore the marks to the present day. In reply to a question by Lord Ellenborough, she said her feet were without shoes and stockings.

The gaoler, Ballot, the magistrate, Francisco de Castro, and Rafael, an Alguazil, with the executioner, were present at these picketings.

Don Rafael Shando also, assisted by the interpreter, said, that he was an Alguazil, in the island of Trinidad, in the year 1801; that he returned from the interior of the country on the 22d of December, and saw Louisa Calderon in gaol; that they were then giving her a glass of water, after bringing her down from the torture. She was supporting herself on a table; it was about seven o'clock in the evening. Beggerrat desired witness to bring Carlos up, and told her, that she must repeat to Carlos what she had said to him.

After this interview, at which nothing transpired, she was instantly put in the grillos, and in the same room in which she had suffered the torture. The apartment was like a garret, with sloping sides, and the grillos were so placed that, by the lowness of the room, she could by no means raise herself up, during the eight months of her confinement.

On the 23d of December she was again put to the torture, between eleven and twelve in the morning, and she remained in this situation for twenty-two minutes by watch.

The witness here examined the drawing, and described the position much in the way it had been before represented and then added,—She fainted twice in his arms. Begger sent vinegar to the executioner, to administer to her in this situation.

There was no advocate appointed to attend on her behalf, and no surgeon to assist her. No one but a negro belonging to Ballot, the gaoler, to pull the rope. As soon as she was taken down, she was put into the grillos. The witness had seen her sister bring her victuals, but never noticed the admission of her sister or her friend, into the gaol. The witness had been four or five years in the office of Alguazil. He never knew the torture inflicted in the island, until the arrival of the defendant. There had been before no instrument for the purpose. The first he saw was in the barracks among the soldiers.

Before Louisa Calderon, the instrument had been introduced into the gaol perhaps about six months. The first person he saw tortured in Trinidad, was by direction of the defendant, who said to the gaoler, "Go and fetch the black man to the picket-guard, and put him to the torture."

After the eight months confinement, both Carlos and Louisa were discharged.

On his cross-examination by Mr. Laws, he said, that Carlos was discharged at the time the judge ordered him to bring the money; that he went from the island, he did not know by whose orders, and that he took his passage for Margarita.

Don Juan Montes said, that he was acquainted with the hand-writing of the defendant, and proved the document containing the order of the torture, expressed in

"*Aplicase la question a Louisa Calderon.*"*

(Signed) THOMAS PICTON.

After some observations from Mr. Dallas, which were answered by Mr. Garrow, the Lord Chief Justice ruled, that the application of the Alcade Beggerrat, which lead to the issue of this order, should be read.

Mr. Lowton then read the representation of this officer, advising, that slight torture should be applied, stating that his own authority was incompetent to do it, without the order of the governor, and giving the result of the proceedings in the course of the examinations Louisa Calderon had undergone. The instrument was counter-signed by Francisco de Castro.

Don Juan Montes said, that he had known the island of Trinidad since the year 1793. That the torture was never introduced until after the conquest of the island, and was then practised by order of the defendant. It was first used with the military in 1799, and two years afterwards in the gaol.

Mr. Garrow then intimated to the court, that he had many more witnesses to these facts, but did not think it necessary to waste the time of the court with any more of them.

Lord Ellenborough thought the evidence was sufficient on these points.

Mr. Dallas, for the defendant, rested his defence upon the following statements.—

First,—By the law of Spain, in the present instance, torture was directed; and being bound to administer that law, he was vindicated in its application.

---

* i. e. Put Louisa Calderon to the torture or the question.

Secondly,—The order for the torture, if not unlawful was not maliciously issued.

Thirdly,—If it were unlawful, yet if the order we erroneously or mistakenly issued, it is a complete answer a criminal charge.

The learned counsel entered at considerable length in these positions, during which, he compared the law of Spai as it prevailed in Trinidad, with the law of England, as subsided in some of our own islands; and he contende that the conduct of General Picton was gentleness ar humanity, compared to what might be practiced with in puuity, under the authority of the British government.

After a long interlocutory discussion, several items of t examination taken on the island for the purpose of this cau were read by the clerk of the court.

The next testimony adduced was that of Mr. Gloceste the attorney-general of his Majesty in the island, wh deposed to the authenticity of several books on the laws the island, among which were the Elisondo, the Cur Philippica, the Bobadilla, the Colom, and the Recopilacit de Leyes.

Various passages in these books were then referred t and translated, for the purpose of shewing, that torture w not only permitted in certain cases, but in the particul instance before the jury.

Mr. Garrow was then allowed to call a witness, to sho that however such a law might at any time have existed, might still exist, in Spain, it did not prevail in the Wes Indian colonies of that power. To this end Don Pedro d Vargass was sworn. He deposed, that during the earl part of his life, he had been regularly initiated and admitte to the office of an advocate at the Spanish law-courts in th colonies; that he had practised, after his admission, in th regular course, for two years, and had resided, for a shorte or more extensive period at five or six of the West-India islands, in the pursuit of his profession; and that, accordin to his knowledge of the Book of Recapitulation, by whic the laws are administered, there was nothing contained in to justify the infliction of torture, nor was torture, to hi

knowledge, ever resorted to. He had not ever seen or heard of instruments for torture being kept in the gaols, or elsewhere.

In reply to a question, "Do you know of any existing Spanish law whatever, which warrants the application of torture?" he said, that there was a law of old Castile, of the year 1260, which justified it in certain cases; but he never understood that it extended to the West India colonies; and it had long been so abhorrent in Spain, that, if not repealed, it was fallen entirely into disuse.

On cross-examination by Mr. Dallas, he said, that he did not know of any law which forbade the practice of torturing persons in the colonies; and admitted, that he had been employed by Colonel Fullarton, as an interpreter and translator of part of the evidence, to be employed in this prosecution.

In answer to a question from Lord Ellenborough, Mr. Dallas said, that he certainly was not prepared with any parole evidence, to prove that the indictment of torture prevailed generally in the Spanish West-Indies.

Lord Ellenborough appeared to be about to close the case here, with the observation, that the special verdict which had been consented to, was granted on the supposition that a greater contrariety of evidence on the subject of the law of the colony, would have been elicited than now really appeared; but it was thought it would, perhaps, be better, before the jury were called on for a general verdict, that the counsel should, if they thought proper, address to them what observations they might have to make.

Mr. Dallas then rose and said, that in the stage of the investigation to which the jury had arrived, he should content himself with submitting to their determination the single fact, unencumbered with any question of his; whether the criminal judge by the law of Spain could, in any instance, order the application of torture? to prove that the discretion did rest with that officer; he did not call to them persons who spoke from the observation they had made during any short periods they might have resided in the colonies; but he produced to them the unequivocal

testimony of works of the first law authority, which we constantly resorted to, as had been proved by the judge on all occasions of doubt or difficulty. As charitable men and as men of sense, must they not conclude that this code of reference was correctly elucidatory of the law, as it was meant to be dispensed? The works of distinguished civilians writing upon the jurisprudence of their country, were grounds upon which he felt he stood firmly in defence of his client. The law of 1560 was proved by them to have existed, and to be still existing, to the date of the works of the last writer he had cited. No attempt had even been made by the ingenious counsel to shew that the universality of the Spanish law, as applied to the colonies, had been broken in upon by any special privilege enjoyed at Trinidad; and he would ask, therefore, could the jury, upon their oath declare, that what had transpired there, and was the subject of this prosecution, was not agreeable to a law that had authorised it, and which there was no proof had fallen into disuse.

Mr. Garrow said, that he looked at this case as he regarded the honour of our country, and the *redress of a stranger*, who had visited our land to procure it. If the defendant had had *an English heart in his bosom*, he would have wanted no restrictive provisions to have guarded from *the commission of sanguinary acts*. He feared that it remained to the disgrace of the British name, that General *Picton* was the *first* man to stretch authority, and order torture to be established in the island of Trinidad. After a few other animated observations, Mr. Garrow said, he left the case to the decision of the jury, confidently anticipating their verdict.

Lord Ellenborough recommended to the jury, to divest their minds of every feeling which they might have contracted in the course of the present trial, and to throw every part of the case out of their consideration, except that which related to this simple point.—What was the law by which the island of Trinidad was governed at the period of its capture by the British? It was for the consideration of the jury, if the law then subsisting authorised persons

torture as to witnesses. By the indulgence of the government of this country, the subsisting law was to continue; the question was, What was that subsisting law? The jury would attend, that it did not necessarily follow, because Trinidad was a colony of Old Spain, that it must therefore, in every part, have the laws of Old Spain. It did not originally form any part of that country, but had been annexed to it; and on what terms, there was no positive evidence. It did not appear that either the schedule peculiar to this island, or the recapitulation, embraced the criminal law, or made any mention of torture. So, if torture did subsist in this island, it must be on the authority of Law Books read to the jury, which it was for them to say, whether they were sufficient to satisfy them of that fact. It was ascertained by a person of thirty-two years of age, and who had been almost all his life time in the island; by another person who had been an Alcaid; by Mr. Nugent, who had resided in the island since the year 1786; and by a person who had studied the law of New Spain, and had known the Spanish West-Indies from his infancy, that torture had not, to their knowledge, or within their recollection, ever been practised in the island. It was therefore, for the jury to say, in absence of all positive proof on the subject and in the face of so much negative evidence, if the law of Spain was so fully and completely established in Trinidad as to make torture a part of the law of that island. Without going through the authorities, he thought the jury might take it to be the existing law of Old Spain, that torture might be inflicted. It was too much to say, that a discontinuance of a practice could repeal a law; but still it was for them to say, if they were convinced, that torture had ever been part of the law of Trinidad. Our law books might be recognized in Jamaica, but yet it did not follow that every thing in them must extend to our colonies. It was, therefore, for them, on the whole, to say, if they were convinced that torture was part of the law of Trinidad at the time of its capture. If so, they would enter a special verdict; if otherwise, they would find the defendant guilty.

The jury found—There was no such law existing in the island of Trinidad, as that of torture, at the time of the surrender of that island to the British.

Lord Ellenborough—"Then, Gentlemen, General Picton cannot derive any protection from a supposed law, after you have found that no such law remained in that island at the surrender of it, and when he became its governor; and therefore your verdict should be, that he is guilty."

By the direction of Lord Ellenborough, they therefore found the defendant "Guilty."

The trial lasted from nine in the morning till seven at night.

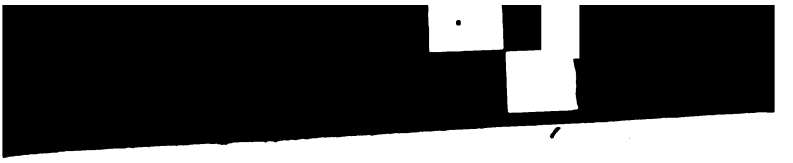
Governor Picton walked the hall of the Four Courts during the whole of the trial. He is a tall man, of a very sallow complexion, apparently about fifty years of age, and was dressed in black. He was accompanied by several of the civil officers of the island.

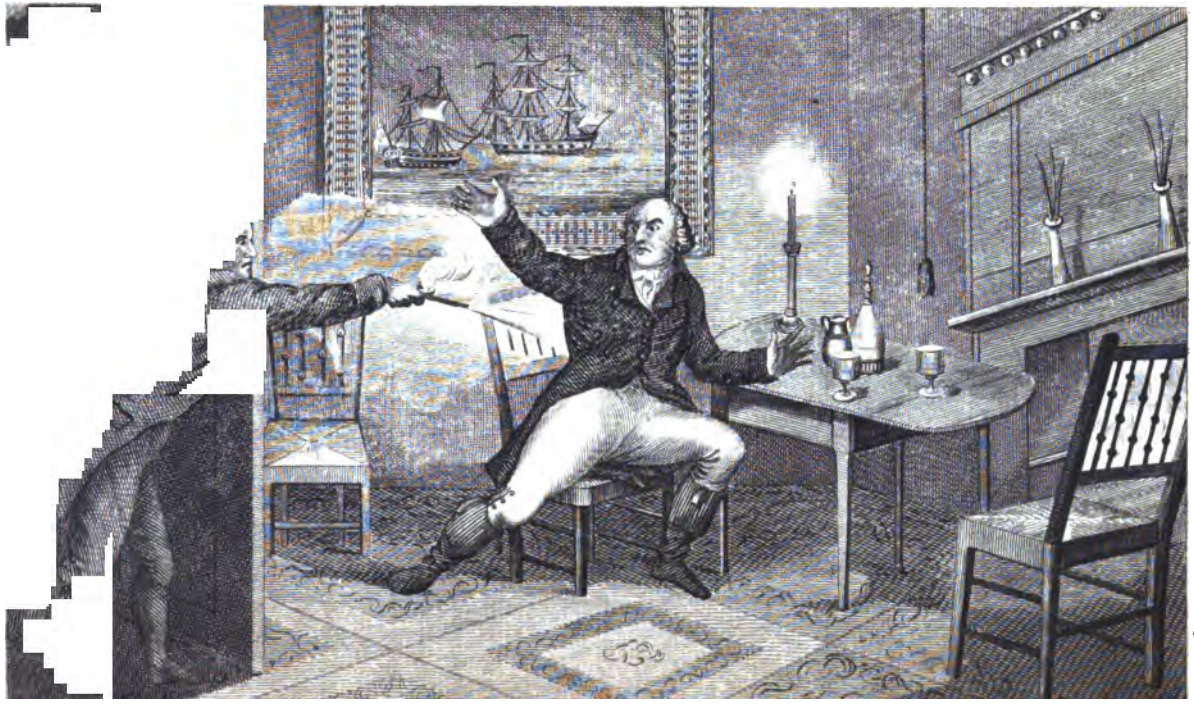
Mr. Dallas moved, on the 25th of April, for a new trial. He stated, that the defendant was a person of respectability and character in his Majesty's service, as Governor of the island of Trinidad. He solicited for a new trial upon the following grounds:

First,—The infamous character of the girl, who lived in open prostitution with Pedro Ruiz, and who had been privy to a robbery committed upon her paramour by Carlos Gonzalez; and when a complaint laid against her, had been brought before a magistrate, she, refusing to confess, had been ordered to be tortured.

Secondly—That Governor Picton, who condemned her to this torture, did not proceed from any motives of malice, but from a conviction that the right of torture was sanctioned by the laws of Trinidad; and that he was rooted in this opinion by a reference to the legal written authorities in that island.

Thirdly,—That whatever his conduct might be, it was certainly neither personal malice, or disposition to tyranny, but, resulted, if it should prove to be wrong, from a misapprehension of the laws of Trinidad.





Fourthly,—That one of the principal witnesses in his trial, M. Vàrgass, had brought forward a book, intituled "Recopilation des Leys des Indes," expressly compiled for the Spanish colonies, which did not authorize torture. The defendant had no opportunity of ever seeing that book; but it had been purchased by the British Institution at the sale of the Marquis of Lansdowne's library, subsequent to his trial: and having consulted it, it appeared, that where that code was silent upon some criminal cases, recourse was always to be had to the laws of Old Spain, and these laws, of course, sanctioned the infliction of torture.

The court, after some consideration, granted the rule to shew cause for a new trial.

RICHARD PATCH,

Executed on the top of the New Prison, in the borough of Southwark, April 8, 1806, for Murder.

THIS is another case which fully proves that the most wicked caution, the most deliberately planned his scheme, or the most artful preparatory measures to attach suspicion to some other cause, or to make it fall upon the guiltless will never conceal murder. Such was the care taken by the ungrateful and cruel Richard Patch, to no purpose, in the murder of his benefactor, Mr. Isaac Blight, a ship-breaker, of Rotherhithe.

Richard Patch was born in the year 1770, at the village of Heavytree, Devonshire, within two miles of Exeter. This family had a name somewhat respectable among the yeoman of the country. The grandfather of Patch had a freehold estate in land, of the value of £50 per annum, in a neighbouring village. His father, according to the custom of many of the petty farmers, who reside on the sea-coast in the distant counties, was a smuggler. He was noted in

his time for a fierceness and intrepedity peculiar to this class of men. Many feats are yet related of his dexterity and enterprize in eluding and daring the officers of the Excise. He has been said frequently to have cut his way through bodies of this military police, and to have spread such a terror by his name, that it was often judged safer to connive at, than to resist, his depredations of the revenue. Richard Patch's mother was a woman respected, and estimable in her condition. But as the life of a smuggler is a scene of constant hazards and escapes, his father was at length laid hold upon by the officers of the revenue, condemned in heavy fines, and sentenced to imprisonment for twelve months in the New Gaol at Exeter. When the period of his confinement was at an end, he did not, however, desert his station in the prison; but was engaged by the keeper as one of the turnkeys. In this situation he died, leaving several children; the eldest of whom was Richard, who had been bound apprentice to a butcher at Ebmere, a small village the most notorious in Devonshire for the flagitiousness of the manners and morals of its inhabitants. Nothing perhaps contributed to taint his mind more in early youth than the excessive indulgence of his father. His pockets were perpetually filled with money, which consequence produced indolence, riot, and dissipation.

Upon the death of the elder Patch, this his son succeeded to the above mentioned estate. He now quitted the trade of a butcher, and commenced farmer, uniting with his own paternal estate, a small farm which he rented. It seems, however, that he farmed with little or no success, as he was soon obliged to mortgage his estate for more than one-half of its value. Some years, however, were passed at Ebmere, when an accident drove him from his home. From motives which it is unnecessary to examine, he had quarrelled with the rector of his parish, and, in order to be revenged, he removed the produce of his farm from off his land, without setting out the tenths for the rector. In other words, he refused to pay the tithes. The consequence was a lawsuit, and an immediate action in the Exchequer. Patch, shuddering at the expence of the litigation, and

certain result which awaited him, and perhaps somewhat embarrassed in his circumstances, quitted Devonshire, in the spring of the year 1803.

Upon his coming to London, he immediately presented himself at Mr. Blight's, with whom his sister, at that time lived as a menial servant; together with a brother of his (of whom it is somewhat extraordinary that no mention was made, in the course of his trial,) who was brought up a baker, but, for some reasons which it is unnecessary to enter into, was now in the service of Mr. Blight, as a kind of overseer or superintendant in the shipping business.

It must here be observed, that Mr. Blight had formerly been a West India merchant, and had failed; upon which he engaged in the ship-breaking business, and was at this time carrying it on with great success. His embarrassment, in fact, arose from the severity and prosecution of certain trustees, who acted for his former creditors; thus his old debts, during the time in which he was engaged in the West India business, weighed him down, and not any contracted in his new occupation.

Patch had not long entered the service of Mr. Blight, when from jealousy or some uneasiness, his brother quitted it. He had been disappointed in endeavouring to set up for himself in the business of a baker to which he was bred; and this mortification, perhaps, aggravated by the conduct of his brother Richard, excited such a disgust in his mind, that he immediately went to sea, sailed to the West Indies, where he soon died a victim to the yellow fever.

Richard had not been long in the service of Mr. Blight, when he naturally cast a look towards his estate in Devonshire, and commenced a journey into that country for the purpose of making an arrangement respecting it. Accordingly, in 1804, he disposed of his land; from which, having first been obliged to clear off every embarrassment, he received a neat sum of £350. Two hundred and fifty of this Mr. Blight received for the purpose hereafter mentioned; and the remaining one hundred pounds passed through the hands of his bankers, whom he probably constituted as such, upon the credit of this money.

[illegible] Patch of the horrid [illegible]
master, committed him to prise
the Surrey assizes, continued
monger-lane in the Borough, Su

So great was the interest ex
investigation, that by five o'clo
concourse of the populace had
the Sessions-house, Horsemong
of the Court, it was with the utm
officers, and others, whose appear
obtain an entrance. The perso
admission were the Dukes of S
Orleans; Lords Portsmouth, Gra
William Russell, Deerhurst, and
Frederick, Sir John Shelley, Sir
liam Clayton, Sir J. Mawbey;
Russian Ambassador, and his sec
who had met for that purpose th
had made every accommodation th
of: it was floored and lined with
parts covered with green baize.
the sides and rear, and a box fitte

The prisoner was conducted in
o'clock, and took his station at th
three friends. He was genteell

The first witness called was Mr. Richard Frost, a publican, who kept the Dog and Duck. The first part of his testimony (for he was called in a second time) related merely to the fact of the death of Mr. Blight. He stated that, on the morning of the 23d September last, he was sent for by the prisoner, in consequence of the deceased having been killed by a pistol-shot; he went, and found him leaning on his hands, and wounded.

Mr. Ashley Cooper said, he was called into the assistance of Mr. Blight. Upon examining him, he found he had received a wound near the naval, and another in the groin. He observed that they were gun-shot wounds; and, as the body of the deceased was considerably inflated, he pronounced them mortal: he observed the bowels coming through the wounds. The next morning Patch came to him, said the deceased was in extreme pain, and wished to know whether any thing could be done for him. The witness told him he feared there could not. This was about seven in the morning. He rose and went to him, and found him in a very swollen state. He promised to return in the afternoon with a physician. He went to town, and came back with Dr. Barrington; but Mr. Blight had been dead about three quarters of an hour. He had not the smallest doubt that the wounds were the occasion of his death.

Richard Frost was again called up to speak to the firing of the gun. He stated that on Thursday, the 9th, "there was the report of the firing of a gun at Mr. Blight's house;" he went out to ascertain the cause, but did not perceive any person coming from the premises; and he was in a situation in which, had the person who fired it attempted to make his escape, he must have observed him; it was about eight o'clock in the evening, and it was dark; but he was near enough to have seen any one run away, or climb the wall.

Miss Ann Davis and Miss Martha Davis, sisters, who happening to be walking by the premises in a different direction from the last witness, stated, that they also saw the flash, and heard the report of a gun, and must have seen any person attempting to escape; but all was quiet, and they

concluded that the gun was fired by some one on the premises.

After this head of evidence, to establish that the gun fired on the Thursday preceding the death of Mr. Blight, was not by any stranger, but by the prisoner, witnesses were then called to relate the circumstances which occurred on the 23d.

Mr. Michael Wright stated, that he was going past Mr. Blight's house a little after eight, when he heard the report of a pistol in the house; and having become acquainted, by the rumour, of the former attempt, he was induced to go up to the house with a view to offer his assistance; he knocked for some time, and was not admitted; but insisting on having the door opened, Mr. Patch made his appearance, and began informing him what a dreadful accident had happened. The witness was impatient at hearing this story: he thought that some means should be rather adopted to pursue the murderer, and recommended Patch to commission him to apply to Bow-street; as an inquiry taking place instantly after the assassination, would, most probably, be attended with success. Patch seemed reluctant, and thought that no good effect could result from it. The witness was rather indignant at his assistance not being accepted, and therefore went away.

Hester Kitchener's evidence applied to the two days. She stated, on the 19th she had been ordered by the prisoner to shut up the shutters of the house earlier than usual. Her master and mistress were then at Margate. At eight o'clock, the prisoner sent her out for some oisters; and, as she returned, she heard the report of a gun; but through the court-yard, the only passage to the house, she did not see any one. When she saw Patch, he cried "Oh, Hester, I have been shot at!" She rejoined, "Lord forbid!" They then looked for the ball, which she found. The witness continued to state that her master returned to town on the Monday morning; that in the evening he and the prisoner drank tea together in the back-parlour, and afterwards had some grog. Her master was fatigued, heavy, and sleepy with his journey and the liquor. Patch came

down in a hurry to her in the kitchen, and complained of a pain in his bowels, wanted a light to go into the yard. She gave it to him, as also a key of the counting-house, through which it was necessary he should pass. She heard him enter the back place and slam the door after him, immediately she heard the report of a pistol. Her master ran down into the kitchen, exclaiming, "Oh, Hester, I am a dead man!" and supported himself upon the dresser. She ran up to shut the door; and as she was half-way down the passage, on her return, she heard Patch knocking violently for admittance. He asked what was the matter; she told him; on which he went down and offered his assistance. He asked the deceased, if he knew of any one who could owe him a grudge? Mr. Blight answered, No, as he was not at enmity with any man in the world.

Mr. Christopher Morgan was passing by when the fatal shot was fired; he went to the house, and saw Mr. Blight lying in a wounded situation, and recommended Mr. Patch, in the first instance, to search the premises all over. Patch told him, and his friend Mr. Berry, who was with Mr. M. to go and search an old ship that was off the wharf, as he had reason to think that the perpetrator might have escaped there; for he heard a noise in that direction on the night when the gun was previously fired. They went, but found that the ship was lying at the distance of sixteen feet from the wharf; that it was low-water: that from the top of the wharf to the mud was ten feet; that the soil was soft mud, and that any one who might attempt that way must have been up to his middle: besides the mud did not bear the appearance of any one having passed through it; he was therefore perfectly convinced that no one escaped over the wharf towards the water. Mr. Berry corroborated this evidence.

Six other persons who happened to be in different directions leading from Mr. Blight's house to the public roads, most distinctly proved, that when the shot was fired which killed Mr. Blight, every thing was quiet on the outside of the premises; that there was no appearance of any person

attempting to escape: and if there had, that there was no possibility of his eluding observation.

The next series of evidence went to infer, that the prisoner was carrying on a system of delusion and fraud against the deceased, in respect to certain pecuniary transactions between them. It was proved by Mrs. Blight, the deceased's widow, that her husband, who had fallen into some embarrassments, had, in order to mask his property, made a nominal assignment of it to Patch: but the assignment was not to be carried into effect, unless the trustees of his creditors should, as he apprehended, become importunate. This confidential assignment Patch wished to convert into an absolute sale for consideration given on his part; but Mrs. Blight declared, that he had never paid her husband any money, excepting £250, part of £1,250, the consideration for a share of his business.

The next strong branch of evidence referred to the stockings which the prisoner had on the night that Mr. Blight lost his life. It was proved that he generally wore boots; but the witnesses' memory enabled them to say, that he had white stockings on during the evening of the 23d. Mr. Stafford, of the Police Office, stated, that on examining the bed-room of Mr. Patch, they were folded up like a clean pair; but that on opening them, the soles appeared dirty, as if a person had walked in them without shoes; the inference from this was, that the prisoner had taken off his shoes in order that he might walk out of the necessary without being heard by the maid.

The last important fact was, the discovery of the ramrod of a pistol in the privy, and the proof that that place had not recently been visited by any person suffering under a bowel complaint. This, and a vast variety of circumstantial evidence, concluded the case on the part of the crown.

The prisoner being called upon for his defence, delivered in a long elaborate address, supposed to have been written by his counsel, which he requested might be read by the officer of the court: it began by thanking the learned judge,

for moving his trial from a place where prejudice might have operated against him; complained much of that prejudice having been excited against him by premature reports in the public journals; and then entered into a general train of argument, inferring, that in a case of life and death, juries ought not to convict upon circumstantial evidence; the more especially where they appeared, as in the present case, so dubious. He stated that whatever might be the result of their judgment upon the evidence, it was almost a matter of indifference to him on his own account; for he was borne down and subdued by the unjust prejudices of the public, by the long imprisonment he had endured, and by the enormous expences to which he had been subjected; but he had those relations who made life dear to him: he had children who looked to him for support, and who would not only be dishonoured, but ruined by his death. The only evidence which he adduced was, that of three persons who spoke to his general character.

The Lord Chief Baron summed up the evidence in the most perspicuous manner, occupying nearly two hours in commenting upon every part of it.

The jury then retired for about a quarter of an hour, and, on their return, pronounced a verdict of Guilty.

His lordship then proceeded to pronounce the awful sentence of the law:—He observed, that the prisoner had begun his career of guilt in a system of fraud towards his friend; he had committed it in ingratitude, and had terminated it in blood. He then directed that he should be executed on Monday, and his body should be delivered for dissection.

Patch, who had the appearance of a decent yeoman, and was about thirty-eight years of age, during the whole of the trial never betrayed the slightest symptom of embarrassment: his appearance evinced a seeming composure, which innocence alone could manifest, or the most consummate villainy could counterfeit. He also heard the dreadful sentence with a degree of sullen composure, bordering upon apathy, as if he had previously made up his mind to the event. The execution was, however, deferred till the next

morning (Tuesday,) it being deemed adviseable that he should suffer in common with a man and his wife, Benjamin and Sarah Herring, who had been convicted at Kingston, March 28, of coining, in order to obviate the inconvenience of having two public executions following each other so closely. It was in consequence of this suggestion of Mr. Ives to the Chief Baron (who with the Dukes of Sussex and Gloucester retired to his house after the trial,) that his lordship was induced to order the respite, which he wrote thus on the margin of the first order for execution:—

"Let execution be respited till Tuesday, the 8th day of April, 1806, "A. MACDONALD."

It seems that Benjamin Herring and his wife had carried on the trade of coining to a great extent, at their own house in St. Georges-in-the-Fields. On searching their premises, a complete set of coining implements, punches, aqua fortis, &c. were found, besides upwards of seventy shillings, a quantity of dollars, half-crowns, and sixpences, all ready for circulation.

The prisoner Benjamin, in his defence, said, he was a wire and bird-cage maker, and that the implements found in his possession were necessary for the carrying on of that business. The jury without hesitation, found both prisoners "Guilty."

But to return to Patch—This criminal, after condemnation, remained perfectly calm and unembarrassed. He slept well during the greater part of the Saturday night; rose at nine o'clock the next morning; breakfasted on tea and toast, and attended divine service at half past ten. About a quarter before eleven, the Rev. Mr. Mann, the Ordinary, preached the condemned sermon, in a style the most impressive and affecting; to which Mr. Patch paid the necessary and becoming attention. On his return to his cell, the prisoner, for a few moments, looked stedfastly at Mr. Case, the turnkey, and then said, "I am innocent," but did not attempt to utter another word. At two o'clock he dined, and made a hearty meal, and appeared as com-

posed as usual during the remainder of the day. He continued to preserve a sullen silence, until Monday afternoon, when that composure which marked his countenance, the fortitude and cold apathy, left him. He was informed by the ordinary of the gaol, that his friends approached to take their last farewell of him for ever, when he gave up all hopes of a reprieve, and exclaimed, "Is no mercy to be expected?" His relations viz. his sister, who had lived with Mr. Blight, another younger brother, who bore a strong resemblance in person to the unfortunate man, and a brother-in-law, with his wife, a nephew, and another distant relation, were admitted to him, and remained with him until three o'clock, when they took their last farewel. Patch was now most sensibly affected, and the scene was truly distressing. He embraced each of his relatives, and wept bitterly, clinging to them until the moment had arrived when their absence was required. After this affecting scene, Mr. Ives, the governor of the prison, went to his cell, and Patch here uttered an expression adequate to a confession of his guilt. He said, "I have confessed my sins to God; man can give me no relief." This day, he was also visited by the Rev. Mr. Mann, and three dissenting ministers. In their interviews with him, he evinced the strongest proofs of a penitent sinner; but invariably declined to give any answer to the urgent entreaties of the clergymen, to acknowledge the crime for which he was to die. Mr. Mann remained with him until a late hour on Monday evening. Mr. Graham, the magistrate, who committed him to prison, was the last person admitted to see him on this night.—Before they parted, Mr. Patch took him by the hand, and said emphatically, "We shall, I trust, meet in heaven." The three dissenting ministers remained with him all night; during the whole of which, he appeared extremely penitent and devout. In the course of the night he took a few glasses of wine; and about two o'clock, having become much exhausted, he laid down upon his bed. The dissenting ministers remained by his side until four o'clock; when he arose, and drank two cups of tea, with which he appeared somewhat refreshed.

About half past six o'clock on Tuesday morning, the Rev. Mr. Mann, and the curate of the Rev. Rowland Hill, came to the prison; and after a short interview with Patch, they, and Herring and his wife, were conducted to the chapel. Patch and Herring went with the Rev. Mr. Mann to the altar, and resumed their devotions; the woman, being a Roman Catholic, went to the left side of the chapel, with a priest, the Rev. Mr. Griffiths.

At eight o'clock Patch and Herring received the sacrament. At thirteen minutes past eight, Herring came out of the chapel into the prison, where Jack Ketch, of Newgate, was in waiting to knock off his irons. On his return to the chapel, Patch came out, at seventeen minutes past eight, for the same purpose. He was dressed in a good suit of mourning, and appeared in excellent health. His complexion was florid as usual, and he stood firm, and with great composure, while the hangman was tying his arms.—After this process, he returned with a firm step to the chapel, and resumed his devotions.

About five minutes before nine o'clock, the high-sheriff demanded the bodies of the unfortunate sufferers; and immediately after, they began to move in the usual order, followed by Mr. Ives, the keeper of the prison. When they got to the open yard, Herring and his wife were placed on a sledge, and drawn to the entrance of the stair-case leading to the apparatus for the execution, from which they ascended the stairs with as much firmness as could be expected. Patch displayed his usual intrepidity.

While Jack Ketch was fastening the ropes, the Rev. Mr. Mann attended Patch, and, for the last time, attempted to draw from him a confession, but with no better success. The sheriff then went to him, and entreated him to confess: but he stedfastly refused. At this time the cap was drawn upon his face, and every thing prepared to launch him into eternity. Apparently displeased at being pressed so much upon the subject, he now threw himself considerably back with impatience. From the violent motion of his body, some of the spectators supposed that he meant to break his neck, as Abershaw did on Kennington-common; others

apprehended that he was fainting away. Neither of these, however, appeared to be the case, as it was evidently the result of a wish to avoid all further entreaty.

Mr. Ives observing Patch throw himself back, ran to him, and exclaimed, "My good friend, what are you about?" Mr. Patch took him by the hand, and conversed with him for about a minute and a half; and, when he was loosing him, he parted his hand apparently with much reluctance. A great anxiety was, at this moment, expressed by the bye-standers, to know whether Mr. Patch had confessed his guilt to Mr. Ives, in this conversation. Mr. Ives answered, with great politeness to all inquiries, that he could not at present divulge what Mr. Patch had communicated to him, and he persevered in this determination, notwithstanding the pressing solicitation of one of the magistrates. He said, however, "I believe him to be the man," meaning the man who murdered Mr. Blight.

At five minutes past nine o'clock, the sentence of the law was enforced by the falling of the drop.

The body of Patch, after hanging the usual time, was taken to the hospital in the prison, for the county surgeon, for the purpose of being dissected.

The multitude that assembled to witness this awful ceremony was said to be more considerable than even at the execution of Despard.

Patch was an athletic broad-shouldered man, about five feet seven inches high, and strong made in proportion; his florid looks never forsook him; but these arose from his constitutional formation; his lips, however, were pale enough to indicate sufficiently the state of his mind.

RICHARD HAYWOOD,

The most hardened sinner, perhaps, of our melancholy chronology; executed along with John Tennant, before Newgate, April 30, 1805, for robbery; with particulars respecting both these daring culprits.

IN relating the shocking depravity of Ayershaw, we hoped that we had come to the very acme of turpitude; but here we find a more miserable wretch, threatening even to outdo, in blasphemy, his wicked prototype.

Richard Haywood, alias Reginald Harwood, was indicted for having stolen two bolsters and two pillows, value ten shillings, the property of Richard Crabtree; and for cutting, with a certain sharp instrument, Benjamin Chantry, in order to prevent his lawful apprehension of him for the said felony.

Miss Jenkins, cousin to Mrs. Crabtree, deposed, that on Saturday evening, October 20, 1804, in consequence of some suspicions, which she and Mrs. Wilson had, they sat watching in Mr. Williamson's house, which was opposite to Mr. Crabtree's, No. 11, Thayer street, Manchester square. They saw two men go into Mr. Crabtree's house with a key. Hereupon Mrs. Wilson went down stairs, and the witness observed her cross over, and knock at Mr. Crabtree's door. She saw the door open, but nothing else.

Mr. Williamson said, that he followed Mrs. Wilson and was, when she knocked at Mr. Crabtree's door, close to the step of it. He saw two men come out of the house: one ran to the left, who, he believed, made his escape; the other (the prisoner at the bar) made a blow at Mrs. Wilson, and ran to the right. The witness cried, Stop thief! and he had not got above twenty yards before he was stopped by a gentleman: the prisoner fell down in the middle of the street, but got away from the gentleman. The witness never lost sight of him, till he was stopped by several people in Mary-le-bone-lane.

Henry Holford, a merchant, in Crutched-friars, said, that as he was passing through Thayer-street, Manchester-square, he saw the prisoner coming out of the house, No. 11, and making a violent blow at a lady: he immediately ran towards Hind-street, and came so close to the witness that he seized him. He struggled, and made a blow at the witness's head, which he avoided, and the prisoner fell. The witness saw something in his hand, which he afterwards understood to be an iron crow. The witness returned the blow, and the prisoner fell. He got up again, and turned, and escaped for a moment. The witness pursued him down two small streets, and kept sight of him till he saw Chantry at the door of his own house. The witness called out to him, "Stop thief!" Chantry laid hold of him immediately. The witness told Chantry to take care, for he had an iron crow in his hand. Chantry looked round, and in a few moments afterwards the prisoner lifted up his hand, and made a violent blow at him with the iron. He was then taken to the watch-house, and the iron-crow was delivered to the officer.

Since conviction, he behaved with shocking depravity.—He never attempted to deny his guilt; but, on the contrary, seemed to exult in it, and often regretted he had not done a deed more deserving of death. It was his constant boast, that he would, on the scaffold, surpass the notorious Abershaw, in evincing his contempt of death; and he constantly endeavoured to instil into the mind of his fellow-sufferer those diabolical principles which he had imbibed himself.

His fellow-sufferer was JOHN TENNANT, who had been ordered for execution along with Haywood. Tennant had lived as footman with Robert Shaw, Esq. a Solicitor, in New Bridge-street, Blackfriars, but inflated with the ambition of the party-coloured fraternity, namely, the keeping of a public-house, quitted his service, and obtained the command of a tap in Little Suffolk-street, Dirty-lane, behind the King's Bench Prison. The new made host, finding his golden prospects in a public-house, in a great measure, delusive, he determined on robbing his late master, Mr.

Shaw. Accordingly, being well acquainted with the place, he broke open his money drawers, and stole in cash, bank-notes, and other property, to the amount of more than five thousand pounds! With such a prize, such a man could not long remain unsuspected of having obtained it by villainy; and he was soon detected in passing some of the stolen notes, and convicted of the robbery. Mr. Shaw recovered the greatest part of his property; indeed, the robber, finding no hopes of evading his impending fate, voluntarily returned bills of exchange, and notes to the amount of 500l. and upwards, which was not charged in the indictment; on which account the prosecutor recommended him to mercy; but the crime of servants basely betraying their trust, or taking advantage of confidence once reposed in them, are not objects of mercy. The relentless Haywood corrupted the mind of Tennant, and, in the condemned cells, stimulated him to follow his horrid example. They uttered the most blasphemous expressions, and sung lewd songs the whole time they ought to have employed in making their peace with offended Heaven.

When the keeper went to warn them of their approaching execution, they behaved in so determined and riotous a manner, that it was necessary to secure them with irons to the floor. Haywood, who was supposed to have procured a knife from his wife, while she was permitted to see him, rushed upon the keeper, during the altercation, and would have stabbed him with it, if he had not left the cell. They uttered the most horrid imprecations; and, after declaring in cant terms that they would *die game*, threatened to murder the Ordinary if he attempted to visit them. Their behaviour, in other respects, was so abandoned, that the necessary attendants were deterred from further interference, and left them to the dreadful fate which awaited them.

When the time for quitting the court-yard arrived, Haywood called to a friend, who was present, to deliver him a bundle he had in his hand, out of which he took an old jacket, and a pair of old shoes, and put them on. "Thus," says he, "will I defeat the prophecies of my enemies: they have often said I would die in my coat and shoes, and I am

determined to die in neither."—Being told it was time to be conducted to the scaffold, he cheerfully attended the summons, having first eaten some bread and cheese, and drank a quantity of coffee. Before, however, he departed, he called out in a loud voice to the prisoners, who were looking through the upper windows at him, "Farewel, my lads; I am just going off: God bless you."—"We are sorry for you," replied the prisoners. "I want none of your pity," rejoined Haywood; "keep your snivelling till it be your own turn." Immediately on his arrival upon the scaffold, which he ran upon with great agility, in a loud laugh, he gave the mob three cheers, introducing each with a "Hip ho!" While the cord was preparing, he continued hallooing to the mob, "How are you? Well here goes." It was found necessary before the usual time to put the cap over his eyes, besides a silk handkerchief, by way of bandage, that his attention might be entirely abstracted from the spectators.

At the suggestion of Mr. Holdsworth, Tennant, however, made some alteration in his conduct. This officer finding his advice attended to in this instance, entreated him no longer to follow the evil counsel of Haywood, but to employ the few moments he had left in a Christian-like manner. Tennant shed tears, shewed some contrition, and suffered the ordinary to attend him to the scaffold. Dr. Ford continued in prayer with him; and though he did not join with, yet he listened to him attentively.—He came on the platform with great resolution, but did not then follow the daring and abandoned example of his companion: he was cleanly dressed in a brown coat, and buck-skin breeches, and observed a propriety of conduct suitable to the awfulness of the occasion; he shook hands with Haywood; and just as the noose was placed round his neck, he emphatically exclaimed, "Lord have mercy upon me." Haywood muttered some words in reply, which were not perfectly understood, but were supposed to be said to Tennant by way of reproach. He then gave another halloo, and kicked off his shoes among the spectators, many of

whom were deeply affected at the obduracy of his conduct. Soon afterwards the platform dropped.

" O wretched man, thy words recal,
" Turn not religion's milk to gall.
" Let not thy mind within thee nurse
" An impious rage, a dreadful curse;
" Far other is the heavenly plan,
" Which the Redeemer gave to man,
" Who bade mankind in peace to live,
" And e'en our enemies forgive.

HENRY PERFECT,

Alias the Rev. Mr. Paul, Rev. Mr. Bennet, &c.

A most plausible Swindler, transported to Botany Bay, in April, 1805.

OF all the adepts brought forward in our pages, no one was a greater proficient in this most specious kind of villainy than Henry Perfect. He had long carried on his depredations on the public without detection, under assumed names and characters, and whose plans for duping the the credulous were, perhaps, the most artful that ingenious wickedness could contrive. He was the son of a clergyman in Leicestershire, and formerly a lieutenant in the 69th regiment of foot. He was twice married, and had considerable property with each wife. Having been at length found out in his impositions, he was indicted on the statute of George II. for obtaining money under false pretences from the Earl of Clarendon. His trial, which occupied the whole of the day, and excited universal attention, came on at the Middlesex sessions, Hick's-hall, October 27, 1804. Mr. Gurney, in a very able and eloquent address, expatiated on the enormous guilt of the prisoner, who had personated the various and imaginary characters of the Rev. Mr. Paul,

the Rev. Daniel Bennet, Mrs. Grant, Mrs. Smith, &c. and who also had the art of varying his hand-writing on every occasion, having kept notes in what hand every original letter had been written, with what kind of wafer or wax it was sealed, &c. He likewise kept his book of accounts as regular as any merchant in London.

The Earl of Clarendon having been at his seat near Wade's Mill, Hertfordshire, in the month of July, 1804, received a letter, which was read in evidence. It was signed H. Grant, and stated in substance as follows:—

That the writer having heard from a lady, whose name she was not at liberty to reveal, the most charming character of his lordship for kindness and benevolence, she was induced to lay before him a statement of her distressed circumstances. The supposed lady then detailed her case, which was, that she was a native of Jamaica, of affluent and respectable family; that a young man, a Scotchman, and Surgeon's mate to a man of war, was introduced at her father's house, who so far ingratiated herself with her father, that he seriously recommended him to her for her husband. She did not like him, because he was proud, and for ever vaunting of his high family; but as her father's will had always been a law, she consented, on condition that he would live at Jamaica. They were accordingly married, and her father gave him £1000. He, however, soon became discontented with remaining at Jamaica, and continually importuned her to go with him to Scotland; and, as her friends joined in the solicitation, she consented. They had now been six months in England; but her husband always evaded going to Scotland, and left her whenever she spoke upon the subject. In short, he gamed, drank, and committed every excess; and within the last six weeks he died in a rapid decline, leaving her a widow with two children, and hourly expecting to be delivered of a third. A lady had given her such a character of his Lordship, that she was induced to implore his assistance. She was not twenty-three years of age, and never knew want till now; but she was left without a shilling to support herself and miserable children: she owed for her husband's funeral, and the

apothecary's bill, for which she was afraid of being ar
To avoid this, she was going to seek shelter with
widow in Essex; and if his Lordship would write to
the Post-office, at Harlow, if she were brought to
the mean while, she would get some safe person to
his Lordship's letter.

His Lordship's answer to this letter evinced the
benevolent heart. He expressed his readiness to
her distress, but justly observed it ought to be authent
by something more than the recital of a perfect stran
He desired to know who the lady was who had made
the application to him, and assured the writer she
not conceal her, for he considered it was doing him a
kindness, to afford him the means of rendering servi
the distressed. On the 14th of July his Lordship rel
a note nearly as follows:

Mrs. Smith, widow of Captain Smith, begged lea
inform Lord Clarendon, that Mrs. Grant was brou
bed. It was she who recommended Mrs. Grant to
Clarendon, while her husband was living; she had
quently been with him on the recruiting service in
fordshire, where she had heard of the benevolent cha
of his Lordship, and recommended Mrs. Grant to sta
case to his Lordship. She added, that Captain Smith,
in Jamaica, had frequently visited Mrs. Grant's father
was a person of great wealth; that she had herself
more than she could afford, for an amiable and unfort
young woman. She had no doubt, but that as soon
could receive an answer from Jamaica, but that Mrs. G
father would send her abundant relief; but till the
might, without the friendship of some one, be totally

In consequence of this last note, his Lordship ret
an answer, and inclosed a draft for five guineas, offeri
the same time to write to any person at Harlow, who
be of assistance to her, particularly to any medical p
On July the 23d, the supposed Mrs. Grant wrote ag
his Lordship, acknowledged the receipt of the five gu
and stated that she had the offer of a passage home
wished to see his Lordship, to return her grateful thank

at the same time she was extremely delicate lest their meeting should be misconstrued by a malignant world, and entreated it may take place a little distance from town. The answer to this letter she begged might be addressed to A. B. C. at George's coffee-house, to which place she would send for it. His Lordship, at her request, wrote an answer, and appointed the Bell-inn, at Kilburn. Before, however, the arrival of the day of meeting, his Lordship received another letter from Mrs. Grant, stating, that ever since she came to town she had met nothing but trouble. Her last child had died, and she was seized with a milk-fever; that she had twelve shillings left of his Lordship's, and Mrs. Smith's bounty, when she came to town; that she was afraid of coming further than Whitechapel, lest her creditors might arrest her, where she was at present miserably lodged in only one room: she concluded with the request of the loan of five pounds, to be inclosed in a note addressed to Mr. Paul, to be left at the Saracen's Head Inn, Aldgate. His Lordship, in reply to this note, sent the money requested, and with great humanity condoled on her supposed situation. He then proposed to take her into the country, where she might live quiet, and free of expence, until she heard from her friends. The next letter introduced another actor on the stage. It came from the Rev. H. Paul. Mr. Paul, at the desire of Mrs. Grant, (then said to be delirious) acknowledged the receipt of the five pounds. He would write again, and say any thing Mrs. Grant might dictate in a lucid interval.—He begged his answer might be left at the Chapter Coffee-house. His Lordship accordingly wrote to the Rev. H. Paul, with particular inquiries after the state of Mrs. Grant, and proposed to send her proper medical assistance. The Rev. Mr. Paul replied to his letter, and stated the nature of Mrs. Grant's complaint, which was of a delicate nature. He then stated the high notions of Mrs. Grant, who would not condescend to see any person from his Lordship, in her present wretched state.—She thought her situation such, that it was not delicate to admit any one to see her, but those absolutely necessary. Mr. Paul therefore promised (he said) not to divulge her residence; but,

in her lucid intervals, she expressed the utmost anxiety to be enabled to thank her benefactor.

This correspondence produced a meeting between the supposed Rev. H. Paul and his Lordship, which took place at the Bell-inn, at Kilburn, on the 8th of August. The prisoner then introduced himself to his Lordship as the Rev. Henry Paul. They entered into conversation on the subject of Mrs. Grant, when his Lordship asked every question as to her situation, with a view to alleviate it. Mr. Paul said he had not seen her distinctly, for the curtains were closed round her, but the opium had had an effect which he had known it frequently to produce: it had given her eyes a more than usual brilliancy: with respect to her lodging, it was a very small room. The woman who attended her seemed a good sort of a woman enough, and she was also attended by a surgeon or apothecary. As Mr. Paul seemed to be a man of respectability, his Lordship asked him at what seminary he had been brought up: the prisoner replied he had been educated at Westminster and Oxford, and had the living of St. Kitt's, in Jamaica, worth about £700 per annum; that he had property in Ireland, and was going to America on private business. To his Lordship's question how he was so fortunate to meet this young woman, he said it was by accident, that quite looked like a romance.—He was coming to town in the Ongar stage, in which was a young woman, two children, and a lady, all in mourning. He entered into conversation with her, and was surprised to find her the daughter of a person at whose house, in Jamaica, he had himself been frequently received with kindness. Although his business pressed, he determined to stay and afford her some assistance.—He then stated that he had that day given her a £2 note, which his Lordship, at this interview, returned (being the note on which the indictment was founded). He added, that Mrs. Grant's father was extremely affluent, and he should not wonder if he was to remit £500 at the first intelligence of his daughter's situation. His Lordship added, that he expressed himself in the language of the purest truth and benevolence; and as he appeared a well educated gentle-

man, who had seen the world, his Lordship had no of any fraud.

After this interview, a correspondence ensued bet. Mr. Paul and his Lordship; the former informing his Lo ship daily of the state of Mrs. Grant's health, accompanied with requests for linen, poultry, fruit, and wine, all of which were supplied by the bounty of his Lordship.

At length Mrs. Grant was sufficiently recovered to write to his Lordship; in which letter she remarked, that but for the kind assistance of the Rev. Mr. Paul, she should have been lost. And although she was ordered by her medical attendant to keep herself perfectly quiet, yet she sat up in bed to write to his Lordship, and anticipated the pleasure of meeting her benefactor. The last letter from Mr. Paul was dated August 13. He acknowledged the receipt of £6, 2s. which had been expended for Mrs. Grant; and informed his Lordship, that the sheets which had been sent, had, by some accident, been near brimstone, which affected Mrs. Grant very much; that her situation required fine old linen, if his Lordship had any such. He apologized, if there be any inaccuracy in his letter, because he had a headach *and some degree of fever*.

The farce now began to draw to its conclusion. His Lordship received another letter from Mrs. Grant, dated Saturday, August 11, in which the supposed lady said:—

"Last Saturday, her father's sister came to town, and found her out. She was a sour old lady, a man-hater, and snarled at the whole sex. She had taken Mrs. G. into the country with her, although she was removed at the peril of her life. The lady she was with was nearly as bad as her aunt; but, as the latter was going out for a few days, her Argus would let her come to town, which would enable her to meet his Lordship. As her ill-tempered aunt had given her neither money nor clothes, she begged £4 of his Lordship. If this opportunity was lost, she should never be able to see him, as her aunt was a vigilant guarded woman, and and hated the men so much, that at the first entrance into her room, finding the Rev. Mr. Paul there, she most grossly affronted him. She could not have any letter addressed to

her own name, lest it should fall into the hands of her aunt, and therefore begged his Lordship to direct to Mrs. Harriet, Post-office, Waltham."

His lordship, in his answer to this letter, expressed some suspicions that he had been duped; in answer to which Mrs. Grant thanked Lord Clarendon for his favours, was sorry to think he should conceive himself duped, but he would find his mistake when she got home to the West Indies. In a postscript, she added—"That best of men, Mr. Paul, died suddenly on Saturday last."

This closed the intercourse between his Lordship and his correspondents, Mrs. Grant and Mr. Paul. Soon afterwards he received another letter from a Rev. Mr. Bennet, setting forth a deplorable tale of misery; but his suspicions being awakened, he employed his steward to trace the supposed Rev. Mr. Bennet; when it turned out to be the prisoner at the bar, who had imposed himself on his lordship, as the Rev. Mr. Paul, that "best of men, whom Mrs. Grant stated to have died suddenly." His lodgings being searched, a book was found in his own hand-writing, giving an account of money received (by which it appeared, that he had plundered the public to the amount of 4481. within the last two years) with a list of the donor's names, among whom were the Duchess of Beaufort, Lord Willoughby de Broke, Lord Littleton, Lady Howard, Lady Mary Duncan, Bishops of London, Salisbury, and Durham, Earls of Kingston and Radnor, Lord C. Spencer, Hon. Mrs. Fox, &c. &c.

The jury found the prisoner guilty, and the court immediately sentenced him to seven years' transportation. He was sent to Botany Bay in April, 1805.

RIOTS OF THE MANCHESTER WEAVERS.

Lancaster Lent Assizes, 1809.

The King against Hanson.

THIS important trial came on before Sir S. Le Blanc and a special jury. The defendant, Joseph Hanson, Esq. was indicted for having unlawfully encouraged a number of persons to riot.

Serjeant Cockell addressed the jury on the part of the Crown. It appeared that the weavers assembled in great numbers on the 24th of May, near Manchester; that the next morning they again assembled, much increased in numbers; that Mr. Starkie, the Boroughreeve, strove to persuade them to disperse, but in vain. In the afternoon, they were increased to about ten thousand; and the Magistrates, preceded by a party of the 4th dragoons, came to the ground, and the riot act was read. About this time the defendant arrived on horseback, attended by his groom; he went up to Capt. Trafford, who commanded the dragoons, and asked, if he might speak to the people? Capt. Trafford said, Not unless he could persuade them to depart peaceably; but he thought his (the defendant's) presence would irritate them; and he told him, he would oblige him if he would leave the field. This he did not immediately; but as he rode along, the people huzza'd, and he pull'd off his hat, and spoke to them. The witnesses for the prosecution swore, that they heard him use expressions to the following effect:—

"My lads, your cause is good—be firm, and you will succeed. I will support you as far as three thousand pounds will go; and if that will not do, I will go farther. Nadin and his faction shall not drive you from the field this day. I am sorry your bill is lost—My father was a weaver, I am a weaver, and have got my money by your industry—and I

am the weaver's friend." He afterwards left the field, and rode towards his own house. To prove this, a serjeant, and two corporals, of the 11th dragoons, and two constables were called.

Mr. Raine made a most eloquent speech for the defendant; and said, he should call many respectable witnesses to prove that he, on that day, was constantly advising the people to be peaceable, and retire to their homes. The groom, who attended the defendant the whole of the time, said he never heard his master make use of the expressions sworn to by the other witnesses; that when the dragoons drew their swords, his master's horse becoming restive, he slipped off, walked a little way, and then mounted the groom's horse and rode off. Mr. Stennet, Mr. Norris, Mr. C. Satterthwaite, Mr. Brierly, and a number of others deposed to the defendant's exhorting the people to refrain from mischief. None of these witnesses had heard him make use of any of the other expressions ascribed to him.

Serjeant Cockell, in a warm and animated speech of an hour and ten minutes, observed upon the evidence for the defendant; and insisted, that, with the exception of the groom's, it corroborated that given by the witness for the Crown: as they deposed as to the defendant's conduct and speeches after he had been heard and seen by the witnesses for the prosecution. He said, he had no doubt of what his intentions were; if they were as peaceable as they had been represented, why did he not join and assist the Magistrates? —instead of which he addressed the people (although requested not by Capt. Trafford), who became more unruly, huzzaing when he spoke, and he returning the compliment.

The jury, after a few minutes' consideration, returned a verdict of guilty; which subjected the defendant to fine and imprisonment.

RICHARD TURNER,

(A Young, but Artful Swindler,)

Transported to Botany Bay for fourteen years, for cheating a young lady.

NUMEROUS as have been our reports of the tricks and shifts of swindlers,* this youth had he not been checked in early career, might have proved as dangerous to society as the greatest adept in this species of robbery.

*Swindling has of late years become so common a practice in the metropolis, that writers for diurnal papers frequently amuse themselves in relating *adroit* performances of this nature, in burlesque, pun, and hyperbole. One of these scribbling wits thus makes merry with a silly tradesman, on being *fiddled* out of his money.

"SWINDLING MUSIC.—A country-looking man lately called at a haberdasher's shop, with a fiddle under his arm; and after purchasing and paying for some trifling articles, which he pretended to want, asked to be allowed to leave his purchase and his fiddle, till he did some other business through the town. He had scarcely gone out, when in comes an accomplice, (as it turned out) who observing the fiddle, takes it up and tries it, and is quite charmed with it. "This is the most charming fiddle I have ever met with; is it for sale?—I'd give fifty guineas for that fiddle." He was told it was not for sale, but belonged to a countryman, who had just left it there till he should make some other calls.—"When he comes back for it, try and buy it from him—make the best bargain with him you can for yourself; but whatever you buy it at, I promise to give you fifty guineas for it, and I will call again by and by." By and by back comes the countryman for his fiddle. "Will you part with that fiddle," says the haberdasher, "I have taken a fancy for it?" The man answered, he had no intention of parting with his fiddle, for he knew it to be a very good one, and did not know if he could get such another. "I'll give you fifty shillings for it," said the haberdasher. "No, no." "Five guineas for it," said the haberdasher.—"I'll not take twenty," said the countryman.—In short, after a great deal of chapmanship, the haberdasher got the fiddle at forty guineas; and a happy man was he, as thinking he had made ten guineas by the bargain. But he has been allowed to keep the fiddle, to solace himself for the loss of his money. The fifty-guinea merchant never returned."

"On the 13th of October 1809, a most infamous act of swindling was practised on eight poor infirm widows in the Alms-houses, near the New Grove-road, Mile-End-road, by a well-dressed man, about 5 feet 9 inches

At a recent Middlesex Sessions, Richard Turner, a very young man, was tried for fraudently obtaining from Miss Stratford, the daughter of a respectable gentleman in Hatton-garden, the sum of £2 in the following artful manner. His father being a post-man at Clapham, he got access to letters sent by post; and having opened one letter sent by a young lady named Burford, a teacher in a school at Clapham, directed to Mr. Stratford in the common course of correspondence, he suppressed the same, and wrote out a copy, interpolated with paragraphs of his own invention, particularly one in which Miss B. was made to say, that the bearer was the son of a gardener, and begged Miss Stratford to send by him £2, to pay for articles which she had purchased in Bond-street. The prisoner carried the letter, and received from Miss Stratford the money, and some articles of dress, which he, instead of bringing them to Miss Burford, at Clapham, gave to a common prostitute, whom he kept company with in Lambeth. It also appeared that a letter, wrote by Miss Burford to a Miss Cooper in Shrewsbury, had been opened in the same manner by the prisoner, and a surreptitious one sent in its stead, desiring an answer to be returned to Miss White, St. George's-fields. This circumstance came to Miss Burford's knowledge; and an explanation having taken place between her and Miss Stratford, a Bow-street officer was sent to Miss White's

---

high, stoutish made, hair tied, and light green coat. He went to one of the poor pensioners' houses, and thus addressed them, "You are all widows—a lady has left you eight pounds;" he then took their names down, and inquired who would go with him, saying, the minister and gentleman were waiting for them, that they must bring 23 shillings in silver to give change, or they could not be paid. One of the poor women borrowed the money, at a neighbouring public-house, and a young woman went with him to Stepney Church; he told her to wait at the porch, while he went and spoke to the clerk, which she saw him do, and supposed all was right; but he told the clerk he wanted to put up the banns of marriage, and the clerk desired him to come when the service was over. He came out, told the girl all was right, and she must go with him; he then asked the unsuspecting girl for the 23 shillings, and decamped with the money. The girl went back to the clerk, where she soon was informed of her mistake, to the no small grief of the poor disappointed pensioners."

lodgings, in Felix-street, Lambeth, who said he had a letter from Miss Burford. The prisoner appeared to receive it, was immediately taken, and confessed the whole fraud. He was found guilty, and sentenced to fourteen years' transportation.

RICHARD FAULKNER,

(Another Boy Murderer.)

Executed at Wisbeach, for the murder of a lad of twelve years of age.

WELL may it be recorded in Holy Writ that "man is born as the sparks fly upward," when every year, month, nay day, brings to our knowledge some instance of infant depravity. This, however, is generally the fault of the parents. The mischief, the wickedness, and crimes, committed by children are almost always traced to the door of some selfish man, or idle woman. Bring a child up in the paths of virtue, and, in maturer years, it will not depart from them. Sometimes, indeed, we have found a strange perversion—an incorrigible disposition in children to wickedness.* Yet even this must

* The following case, extracted from the reports of criminal cases in London (1814), is a most extraordinary instance of juvenile depravity.

"Ann Lelk, a girl of about eleven years of age, underwent a second examination before the magistrates at the public office, Worship-street, being charged on suspicion of having stolen a horse, saddle, and bridle, the property of some person unknown. She was taken into custody in the neighbourhood of Bethnal Green, where she was leading the horse. On her being questioned by a tradesman who the horse belonged to? she answered, that it was the property of her father: which the tradesman doubting, she was taken to the above office; where being questioned by the Magistrates, she still continued in the same story, when she was searched by one of the officers, who found a brass collar with a padlock round her neck, with the name and place of abode of her father, who, it appears, is an honest industrious man, living in the neighbourhood of Grosvenor-square. The mother of the girl attended, who stated the reason of her having the collar round

have been engendered through parental neglect, or, even what is often worse, too great indulgence.

This boy, at the Summer Assizes for Norfolk, 1810, was capitally convicted of the wilful murder of George Burnham, a lad about twelve years of age, at Whittlesea, on the 15th of February, by cruelly beating him to death, for no other cause than to revenge his (the deceased) mother's having thrown some dirty water upon him. The prisoner himself was not sixteen, but so shockingly depraved and hardened, that after condemnation he repeatedly clenched his fist, and threatened to murder the clergyman who attended the gaol, or any one who dared to approach him.—Indeed he was so ferocious that the gaoler found it necessary to chain his hands and feet to his dungeon, where he uttered the most horrid oaths and imprecations on all who came near him; and from the Friday to Saturday night refused to listen to any religious advice or admonition.—At length to prevent the termination of his existence in this depraved state, the expedient was devised of procuring a child about the size of the one murdered, and similar in feature and dress, whom two clergymen unexpectedly led between them, by the hands, into the cell, where he laid sullily chained to the ground; but on their approach he started, and seemed so completely terrified, that he trembled every limb, cold drops of sweat profusely falling from him, and was almost momentarily in such a dreadful state of agitation, that he entreated the clergymen to continue with him, and from that instant became as contrite a penitent as he had before been callous and insensible.—In this happy transition he remained till his execution on Monday morning, having fully confessed his crime, and implored by fervent prayer the forgiveness of his sins from a merciful God!

At the Summer Assizes for Essex, 1811, John Houghton,

---

her neck, she having frequently absconded from home, and was for the purpose of her being brought back. No person appearing against the prisoner, nor any person claiming the property, she was discharged, upon her mother promising to take proper care of her, so that she should not commit any farther depredation."

a boy under the age of 14, was capitally indicted for stealing in the dwelling-house of Joseph Chinnery 30*l.* in Bank-notes, the property of John Bennett.

It appeared in evidence that the prisoner was a tap-boy, and lived in the service of Mr. Chinnery, at Abridge, in whose service also the prosecutor lived as post-lad. The prisoner slept in the same bed with another lad, (against whom a bill of indictment had also been preferred for this robbery, but not found by the Grand Jury,) in the same room where the prosecutor slept. In consequence of the prisoner's leaving the service of his master abruptly, the prosecutor was induced to search his trunk, which he found broken open, and all his money gone.—He applied to a constable, who went in search of the prisoner, and traced him to his mother's house; and, on charging him with the robbery, he confessed the fact, but declared he had taken the money at the instigation of his other fellow-servant.

The jury were reduced to the painful necessity of finding the unfortunate urchin Guilty—Death.—Sentence, in consideration of his youth, was commuted for transportation for fourteen years.

JAMES COOPER,

Indicted with his mother Mary Cooper, and convicted of murdering his landlord.

AT the Summer Assizes at Croydon, 1809, James Cooper, and Mary Cooper, his mother, aged 71, were indicted for the wilful murder of Joseph Hollis, at Compton, in the county of Surrey, on the 4th of May last. The first count of the indictment stated the murder to have been committed by fracturing the skull, and the second by cutting of the throat.

This case was rather of a singular nature, and depended on circumstances, which were proved by a number of different witnesses; and the investigation lasted nearly the whole day. The deceased was a man possessing more property than is usual with persons in his class of life. He lived in a small cottage adjoining to the prisoners; indeed it had been formerly but one cottage, and had lately been divided into two tenements, the one occupied by the deceased, and the other by the two prisoners. There was no door of communication between the two tenements; but it was proved, that whatever passed in one house could be distinctly heard in the other; and, as one of the witnesses stated, the clock could be heard to *tick*.

The deceased, Hollis, was an old man of near 70, but was hale and hearty; he was of very penurious habits, and had saved money, which he was fond of displaying.

One of the witnesses described him as always carrying three canvas bags, in one of which he kept notes, in another gold and silver, and in a third copper money; and if he wanted to pay only a sixpence, he would *tip* all the gold and silver into his hand; and the witness added, he had seen him with 100*l.* in his possession. The whole cottage in which he lived was his property, and the prisoner Cooper was his tenant for the part which he occupied. Nobody lived in Cooper's part but himself and his mother: and Hollis, the deceased, lived alone; a woman of the name of Wisdom coming to him daily to perform his little household arrangements.

On Wednesday, the third of May, the day preceding Guildford fair, he had desired a person of the name of Goddard to go with him to the fair, as he wanted to buy some sheep; Goddard told him he could not go with him, but advised him to be early. On this he declared his intention of breakfasting and setting off the next morning by four o'clock; and having declared this to Mary Wisdom, he told her she need not come to him the next day, as he should be at the fair; she, therefore, did not on the Thursday make her daily visit; but on the Friday, about ten, she sent her daughter, a girl about 13 years of age. The child found

the door unfastened; and, on opening it, she saw Hollis lying dead on the floor, with a great deal of blood about him. She ran out, and saw Moor, the constable, crossing the common, and he immediately returned with her. A surgeon was sent for, and soon several people came. The body was lying on the floor with the legs crossed, and the head lying on the arm, evidently composed to that attitude by the murderer after the deed. A cup of coffee, half drank, was on the table, a piece of toast before the fire, another piece partly eaten, lying on the hearth, the butter basin broke, and the pat of butter on the floor near the feet of the deceased. The chair in which he had been sitting was overturned, and his hat lying near, from whence it appeared he had been attacked while he was sitting at his breakfast.—The body was most shockingly mangled—the skull was fractured in two places, the jaw broken, a finger broken, the arms bruised, and the throat cut so as almost to sever the head from the body. Under the body was found a clasp knife, almost covered with blood, and a poker, which fitted the bruises made in the chimney-piece. From those circumstances it appeared that some struggle must have taken place, which the prisoners must have heard in their cottage, if it had been done by any stranger.

The prisoners were apprehended on the Friday evening, and their part of the cottage searched; but no evidence of their guilt was found. The trunk of the deceased had been rummaged; and, as only two shillings were found on his person, it was presumed that the murderer had carried off his money.

The magistrates, on examination, finding nothing but suspicion against the prisoners, discharged them; but, on subsequent inquiries, they were again apprehended, and the following circumstances were given in evidence. The night before the murder the deceased and the prisoner, James Cooper, had been quarrelling; upon which the deceased declared, as Cooper had not paid his rent, he would have him out of the cottage; and he actually applied to a person to distrain upon him. In this quarrel, as Cooper

went in doors, he said to his mother, "that once within a fortnight he would be upsides with him."—His mother exclaimed, "God forbid!" His answer was, If she did not hold her tongue he would serve her so too.—To which she replied, "Well, it is no great matter, for nobody likes the old fellow." In fact the murder was perpetrated within that time.

Mary Wisdom proved, that on the Wednesday evening she told Dame Cooper that Master Hollis was going to the fair the next day, and that she should not come again until the Friday, and she also mentioned that he was going at four in the morning. When the knife was found in the room under the body, the prisoner, Mary Cooper, exclaimed, "That is Old Hollis's knife;" upon which a Mr. Smallpiece, in the room, observed, "You cannot have seen enough of the knife to know it;" and indeed it was then so covered with blood that no person could have recognized in its then state. Mary Wisdom proved it was not Hollis's, and that his knife was found in the corner of the room, probably knocked out of his hand in the scuffle.

A person of the name of James Wigmen said, that he verily believed the bloody knife to be the prisoner's; that he had borrowed Cooper's knife a few days before, when they were at work together, to cut some tallies; and he verily believed that the bloody knife produced was the same knife produced which the prisoner then lent him.

The poker was then produced, and Mary Wisdom said, she never knew Master Hollis to have any poker.

Another woman, named Elizabeth Hart, said, she dined twice a week at Cooper's, and she believed it to be the same poker which she had seen at Cooper's, especially as since the murder she had missed Cooper's poker.

Colingbourne, an officer from town, searched the house again on the 11th of May, on which occasion he found a frock, which had then been lately washed, and about the sleeves were stains of blood. This the old woman said was probably occasioned by her son's having cut his leg; but the son afterwards denied that any blood was upon it. Upon

these circumstances the prisoners were fully committed, and then it was that the old woman made a confession to several witnesses; but, as it was not made in the presence of her son, it could not be received in evidence, as far as it went to affect him. She described it to have been done between three and four o'clock in the morning; that the person who did it (her son) was fully bent upon it. She was asked by the witness (Elizabeth Hart) why she did not make it known. She said she could not do it; that he went in a smock frock, without shirt or breeches; and that it made a considerable noise, particularly when the old man fell against the wainscot. She added that there was no occasion to murder the old man, for they could have got into the house any hour of the day or night, but the person was fully bent upon doing it. The old woman, however, always added, that she was never out of her room, and only looked out at the window.

Several contradictory statements of the prisoners being given in evidence, they were called upon for their defence. The man said he was innocent, and the old woman, that she had no hand in the murder.

The learned judge observed to the jury, that this was a case requiring their most serious attention, that they might arrive at a safe conclusion, from all the circumstances which they had heard detailed. They would first consider whether the murder was perpetrated by the prisoner alone (if at all by him), or with any other; and whether that other was the old woman; for although she might know of the murder, and afterwards endeavoured to screen the murderer; yet that would make her or him an accessary after the fact, and not a principal. His lordship then minutely pointed out the evidence, and its bearings as to this point. It appeared, he observed, by her own confession, she was looking out at the window. If she did that with a view of apprizing the murderer of the approach of any one, she was as much a principal as though she had actually inflicted a wound on the deceased. He advised the jury, therefore, seriously to consider what was the just inference from the circumstances proved.

The jury withdrew for some time, and at seven o'clock returned a verdict of guilty against the son, and not guilty for the mother.

He suffered the common fate of all murderers.

ROBERT SMITH,

Executed before Newgate for a new species of Robbery.

THIS singular robber was a Scotchman, and one of those adventurers, who, ingenious in wickedness, devise new plans of depredation, and make the industrious, whose hard earnings they enjoy, the chief objects of their prey.

The mode of robbery which this man adopted, was that of employing a hackney coach to drive him to some outlet, and then robbing the coachman in the first lonesome place he came to; in which for some time he was too successful. This trade he commenced early in the month of March, 1803, when being genteelly dressed, at night about ten o'clock, he hired a hackney-coach at Charing-cross, and ordered the coachman to drive to St. John's Farm, near the one mile-stone, on the Edgware road. When the coach got to the top of the lane leading to St. John's Farm, Smith pulled the string, and told the coachman to let him get out, for he had passed the house he wanted to go to; upon which the coachman got off his box, and let him out of the coach. Smith then asking what his fare was? he told him five shillings and sixpence; when he put his hand into a side-pocket, pulled out a pistol, and swore he would immediately shoot him, if he did not deliver his money, which the coachman complied with. Smith then demanded his watch, which the coachman likewise delivered, and with which he made his escape across some fields. Monday night (March 6) about eleven o'clock, he also hired another coach, and ordered the coachman to drive to St. George's Row, on

the Uxbridge road. On the coach arriving at that place, the man got out, and with horrid threats demanded the coachman's money; at the same time presenting a very long pistol to his breast, and slightly wounding him in the side with a tuck-stick. The coachman delivered his money, amounting to two seven shilling pieces, and eight shillings and sixpence in silver.—The robber, on parting, told the coachman if he attempted to pursue him he would shoot him. But his career did not last long, for on Sunday night, March 20, about ten o'clock, as Thomas Jones, and others of the patrole, were on duty in the King's Road, they met Smith, whom they questioned as to his business, &c. and he not giving a satisfactory account, one of the patrole put his hand on his breast, and discovered a pistol.

On Monday morning he was brought to Bow-street, and underwent an examination; when the hackney-coachman, who was robbed near St. John's Farm, attended, and a pawnbroker produced a watch, agreeable to one of the duplicates, he positively identified the watch, and also the person to be the robber.

T. Jones (another hackney-coachman who was robbed in Maiden lane) attended, and likewise identified a watch produced by a pawnbroker, and the person of the prisoner. The prisoner refused to give any name, or to give any account of himself. He gave the names of Gordon and Smith, when he pledged the watches, on his re-examination, in addition to the charges before exhibited against him.

Francis Treadwell, another driver of a hackney-coach, stated how he had robbed and wounded him.

Also John Chilton, a porter at Mr. Spode's Staffordshire-warehouse, swore, that on the evening of the 14th instant, about eight o'clock, the prisoner stopped and robbed him of three shillings and sixpence, near Bays-water, and slightly wounded him on the breast with a tuck-stick.

The driver of another hackney-coach identified the prisoner, as having robbed him a short time since near Wandsworth, Surrey.

On his trial, Francis Treadwell swore, that on the night of the 6th of March last, he was hired at Charing-Cross, by

the prisoner, who ordered him to drive to Bayswater, w he robbed him of twenty-two shillings and sixpence, senting a pistol and a tuck-stick, and slightly wounding in the side with the latter. Treadwell had known th soner upwards of four years, (but was not, he beli recollected by him,) first when he was an artillery- and afterwards as his fellow-prisoner in the King's Be

The prisoner pleaded guilty, and the jury pronoun verdict according with his own confession, and the evi before them. He pleaded, however, for mercy, o ground of its being a first offence; but Mr. Justice H observed that his plea could not be listened to, fo there were five other indictments against him for si offences, and a sixth for firing at a person with intent t This last offence, however, the prisoner denied.

He was executed at the front of the Debtor's do the Old Bailey, June 8, together with Abraham Nichol person who had been employed in the General Post-O and was convicted of having secreted, on the 22d preceding January, a letter, containing a 10*l* note, tw notes, and five shillings in silver, the property of J Goldsmith; and Peter Gregory, who was convicted (25) of having about that day twelvemonth uttered Bank note, knowing it to be forged. Nicholas was re mended to mercy by the jury, on account of his f good conduct; but the magnitude of his offence ren the recommendation unavailing.—Gregory had been upon another indictment of a similar nature, but acq from a deficiency in the chain of evidence. These malefactors conducted themselves in a manner beco their awful situation. Few persons attended the exec

JOHN HOLLOWAY AND OWEN HAGGERTY.

Executed before Newgate, February 29, 1807, for Murder.

THE fatal accident which happened on the spot, and at the moment of the execution of these men, by which more than forty people lost their lives, and many more were terribly bruised, will cause their memory, more than their crimes, to remain a dreadful warning unto many generations. Their whole case, indeed, was attended with singular and awful circumstances. Even of their guilt many entertained doubts, and which are not entirely removed, though no further discovery has been made respecting the horrid deed. Their conviction rested, certainly, upon the evidence of a wretch as base as themselves, who stated himself to have been their accomplice; but the public indignation against them was excited to such a pitch, it is not to be wondered at that a jury pronounced them guilty.

On the 6th of November, 1802, Mr. John Cole Steele, who kept the Lavender Warehouse, in Catherine-street, Strand, was murdered, with much barbarity, on Hounslow Heath, and his pocket rifled of their contents. The murderers escaped; and, though rewards were offered for their apprehension, no discovery was made. Every search had been made by the officers of the police after them; several loose characters were apprehended on suspicion, but discharged on examination, and all hopes had been given up of tracing the murderers—when a circumstance occurred about four years afterwards, which led to the apprehension of John Holloway and Owen Haggerty.—A man of the name of Benjamin Hanfield, who had been convicted at the Old Bailey, of grand larceny, was sentenced to seven years' transportation.* He was conveyed on board a hulk

* He was found guilty of stealing, on the 5th of July, 1806, a pair of children's shoes (value two shillings) the property of John Smith, Shoemaker, White Cross-street.

at Portsmouth, to await his departure for New South Wales; but having been taken with a severe illness, and tortured in his mind by the recollection of the murder, about which he constantly raved, he said he wished to make a discovery before he died. A message was immediately dispatched to the police magistrates at Bow-street, to communicate the circumstance, and an officer was sent to bring him before them. When he was brought on shore, they were obliged to wait several days, his illness not permitting his immediate removal. On his arrival in town, the magistrates sent him, in custody of an officer, to Hounslow Heath. He there pointed out the fatal spot where the murder was perpetrated, and related all the circumstances which he alledged to have attended it; and as his evidence implicated Haggerty and Holloway, measures were taken to apprehend them. Several private examinations of all the parties took place. Hanfield was admitted king's evidence, and the public once more cherished a hope that the murderers would meet the punishment they deserved.

Monday, February 9, being the day appointed for the final and public examination of the reputed perpetrators of this atrocious murder, Holloway and Haggerty were brought up before Joseph Moser, Esq. the sitting magistrate at the police-office, Worship-street, charged with wilfully murdering Mr. J. C. Steele, on Saturday night, the 6th of November, 1802, on Hounslow Heath.

There was a great body of evidence adduced, none of which tended materially to criminate the prisoners, except that of Hanfield, the accomplice, who, under the promise of pardon, had turned king's evidence.

The prisoners denied having any knowledge whatever of the crime laid to their charge, but heartily hoped that punishment would come to the guilty.

The magistrates, however, after maturely considering the whole of the evidence adduced, thought proper to commit the prisoners fully for trial at the next Quarter Sessions at the Old Bailey, and bound over no less than twenty-four persons to appear and give evidence on the trial.

Such was the eager curiosity of the public to know the

issue of this trial, which came on February 20, 1807, before Sir Simon Le Blanc, Knight, that the whole Court and area of the Old Bailey was greatly crowded.—When put to the bar, Holloway appeared to be about forty years of age, of great muscular strength, tall, and of savage, brutal, and ferocious countenance, with large thick lips, depressed nose, and high cheek bones. Haggerty was a small man, twenty-four years of age.

The first witness called was Mr. Meyer, the brother-in-law to the murdered Mr. Steele, who deposed, that the deceased left his house in London, on the 5th of November, 1802, giving his family to understand that he should return on the next day. He proceeded to Feltham that night, where he had a house and garden, to grow and distil lavender, which he left on Saturday evening, for the purpose of returning to London, which he never reached. His long absence caused alarm in his family, and a number of persons were dispatched in different directions in search of him. At length his body was found in a ditch, shockingly disfigured by wounds, and a leathern strap tied very tight round the neck; by the side of the body was found a large bludgeon, a pair of old shoes, an old hat, trimmed with worsted binding. At some distance on the other side of the road, were discovered several marks of blood; and the body seemed to have been dragged some distance from the spot where the murder had been committed.

Mr. H. Manny was next called. He said that he was inspector to the works of the late Mr. Steele, at Feltham, at the time this transaction took place. He well recollected that Mr. Steele, the deceased, was there on Saturday the 6th of November, and that he left Feltham about seven o'clock in the evening, with the intention of returning to town. This witness now entered into a description of his dress, which corresponded with the account given before the coroner.

William Pugh, who was next called, said, that in the month of November, 1802, he was, in consequence of a report that the deceased was missing, employed to search for the body; that accordingly himself, with several others,

entered upon a strict search, in which they were ultimately successful. That the body was found lying at the bottom of a ditch near a clump of trees, a short distance from the barracks. The witness described very minutely the position of the body, and the wounds that were at first perceptible.

Mr. H. Frogley, a surgeon, of Hounslow, was employed to examine the body at the time it lay at the Ship public-house for the coroner's jury; and he gave it as his decided opinion, that Mr. Steele certainly died in consequence of the violent bruises he received. The witness examined the body of the deceased, and found not only an extensive fracture on the forehead, sufficient to occasion death, with laceration of the ligaments, but also a great laceration on the back part of the head, and some severe bruises on the upper part of the right arm. Indeed the horrid and inhuman perpetrators of this atrocious deed seemed to have exercised their utmost cruelty on the unfortunate victim, who must, for some considerable time after they left him, have remained in a state of miserable suffering. For the better illustration of the testimony adduced, a sketch of Hounslow Heath (by Mr. Kinnaird) was now produced in Court.

The king's pardon, under the Great Seal, to Hanfield, alias Enfield, remitting his sentence of transportation for seven years, for a larceny, which he had been convicted of, and restoring him to his competency as a witness, was read.

Benjamin Hanfield, then deposed nearly as follows:—

"I have known Haggerty eight or nine years, and Holloway six or seven. We were accustomed to meet at the Black Horse, and Turk's Head public-houses, in Dyot-street. I was in their company in the month of November, 1802. Holloway, just before the murder called me out from the Turk's Head, and asked me, if I had any objection to be in a good thing? I replied I had not. He said it was a "*Low Toby*," meaning it was a foot-pad robbery. I asked when and where. He said he would let me know. We parted, and two days after we met again, and Saturday the 6th of November, was appointed. I asked who was to go.

with us? He replied, that Haggerty had agreed to make one. We all three met on the Saturday, at the Black Horse, when Halloway said, our business is to "*serve*" a gentleman on Hounslow Heath, who I understand travels that road with property. We then drank for about three or four hours, and about the middle of the day we set off for Hounslow. We stopped at the Bell public-house, and took some porter. We proceeded from thence upon the road towards Belfont, and expressed our hope that we should get a good booty.—We stopped near the eleventh mile-stone, and secreted ourselves in a clump of trees. While there, the moon got up, and Holloway said, we had come too soon. After loitering about a considerable time, Holloway said, he heard a footstep, and we proceeded towards Belfont. We presently saw a man coming towards us, and, on approaching him, we ordered him to stop, which he immediately did. Holloway went round him, and told him to deliver. He said, we should have his money, and hoped we would not ill use him. The deceased put his hand in his pocket, and gave Haggerty his money. I demanded his pocket-book. He replied, that he had none.—Holloway insisted that he had a book, and if he did not deliver it, he would knock him down. I then laid hold of his legs. Holloway stood at his head, and said if he cried out he would knock out his brains. The deceased again said, he hoped we would not ill use him. Haggerty proceeded to search him, when the deceased made some resistance, and struggled so much, that we got across the road. He cried out severely; and as a carriage was coming up, Halloway said, "Take care, I will silence the b——r," and immediately struck him several violent blows on the head and body. The deceased heaved a heavy groan, and stretched himself out lifeless. I felt alarmed, and said, "John you have killed the man."—Holloway replied, that it was a lie, for he was only stunned. I said I would stay no longer, and immediately set off towards London, leaving Holloway and Haggerty with the body. I came to Hounslow, and stopped at the end of the town for near an hour. Holloway and Haggerty then came up, and said they had done the trick, and, as a token, put

the deceased's hat into my hand." The hat Holloway went down in was like a soldier's hat. I told Holloway it was a cruel piece of business, and that I was sorry I had any hand in it. We all turned down a lane, and returned to London. As we came along I asked Holloway if he had got the pocket-book. He replied, it was no matter, for as I had refused to share the danger, I should not share the booty. We came to the Black Horse, in Dyot-street, had half a pint of gin, and parted. Haggerty went down in shoes, but I dont know if he came back in them. The next day I observed Holloway had a hat upon his head, which was too small for him. I asked him if it was the same he got the preceding night. He said it was.—We met again on the Monday, when I told Holloway that he acted imprudently in wearing the hat, as it might lead to a discovery. He put the hat into my hand, and I observed the name of Steele in it. I repeated my fears.—At night Holloway brought the hat in a handkerchief, and we went to Westminster Bridge, filled the hat with stones, and having tied the lining over it threw it into the Thames."

The witness being cross-examined by counsel for the prisoners, said, he had made no other minutes of the transactions he had been detailing, than what his conscience took cognizance of. It was accident that led to this disclosure. He was talking with other prisoners in Newgate of particular robberies that had taken place; and the Hounslow robbery and murder being stated amongst others, he inadvertently said, that there were only three persons who knew of that transaction. The remark was circulated and observed upon, and a rumour ran through the prison, that he was about to turn "*nose*," and he was obliged to hold his tongue, lest he should be ill used.

When at Portsmouth, on board the hulks, the compunctions of conscience came upon him, and he was obliged to dissipate his thoughts by drinking, to prevent him from divulging all he knew. He admitted that he had led a vicious life, that he had been concerned in several robberies, and had entered and deserted from several regiments. He had served in the East and West London Militias, had

inlisted into the 9th and 14th Light Dragoons, and had been in the Army of Reserve. He added, that he was ashamed, and sorry at what he had been, and would endeavour to mend his life in future.

John Vickery stated, that he had been sent to Portsmouth to bring up Hanfield, who was then confined on board the Hulks, waiting to be transported with others, pursuant to his sentence. He was immediately delivered into his custody, and they returned to London. As they passed across the heath of Hounslow, on the top of the coach, Hanfield pointed to a spot near a clump of trees; just at the eleventh mile-stone, which he said was the place where the murder had been committed; but they had then no further conversation on the subject, as they were surrounded by people on the top of the coach. Hanfield, on his arrival in town, underwent an examination; in consequence of which he and the witness went together to Hounslow. They stopped at the Bell Inn, whence they proceeded to the heath; when Hanfield again pointed out the place where the crime was perpetrated, which the witness thought exactly the same as that pointed out by the former witnesses, detailing the circumstances of the murder previous to his escape from his companions, in almost the same words as he had described them to the court. The witness and he returned to town. Soon after the witness apprehended Holloway at Brentford, during the last election, and brought him to town.—When he was examined before the presiding magistrate of Worship-street office, he declared he was perfectly innocent; but added, "if they would let him go, he would down on his knees to both the magistrates and the witness."—He was remanded for farther examination.

The witness went down to Deal, where he apprehended the prisoner Haggerty, on board the Shannon frigate, as a marine.

Several witnesses were called, who proved that they had frequently seen Holloway and Haggerty in company with each other.

John Nares, Esq. the magistrate, said, that the prisoners were examined by him apart, when Hanfield was produced

in evidence against them. He then read from a paper the examination of Haggerty, in which he denied knowing any thing of either Hanfield or Holloway, or being at the Turk's Head, or Black Horse porter-houses. Haggerty acknowledged he had been in confinement in July, 1802, in Tothill-fields. After his liberation, he said, he worked for some time with Mr. Smith, of Castle-street, as a plasterer, that his working-dress was usually a green velveteen jacket and small clothes. Being confronted afterwards with Mr. Smith, who denied his having ever been employed by him. The same paper stated, that Holloway had acknowledged he knew Hanfield and Haggerty, but had never drank in their company; had never been at Hounslow in his life. He alledged he had worked for a Mr. Rose, and others, in November, 1802, which, on application, was found to be inaccurate, as he had not worked for them till March, 1803.

James Bishop, a police officer, stated, that in the rear of the Public-office in Worship-street, are some strong rooms for the safe keeping of prisoners pending their successive examinations. In two of these rooms, adjacent to each other, and separated by a strong partition, the prisoners were separately confined, and immediately behind these rooms is a privy. In this privy he took post regularly, after each successive day's examination; and as the privy went behind both rooms, he could distinctly overhear the conversation of the prisoners, as they spoke pretty audibly to each other from either side of the partition. Of this conversation he took notes, which were afterwards copied out fairly, and proved before the magistrates; and which he, on this occasion, read as his evidence in court.

Mr. Andrews, counsel for the prisoners, objected to this sort of evidence, it being impossible, he said, that the officers could overhear all that was said, and that the conversations thus mutilated might be misconstrued:—besides, the minds of officers, for the sake of reward, were always prejudiced against the prisoners. His objections, however, were over-ruled by the court.

These conversations run to a very considerable length; but the material points were few. They shewed, however,

from the words of the prisoner's own conversation, that all they had said before the magistrates, in the denial of any acquaintance with each other, as with Hanfield, was totally false, and a mere stratagem to baffle the testimony of the latter, who they hoped had secured his own execution by confessing his guilt, without being able to prove theirs; for they were confident the magistrates would not believe his testimony; and that there was no other witness to prove any clue to the fact, or that saw them together near Hounslow, where, from the whole connected tenor of their conversation it was clear they had been on the night of the murder. Haggerty asked Holloway after one of the latter examinations, "Where did Hanfield say we had the gin that night, after we came to town?" To which Holloway answered, "At the Black Horse, in Dyot-street." Haggerty then replied, "It must be the Black Horse we had the gin sure enough."

John Smith, a coachman to the Gosport coach, in the month of November, 1802, near eight o'clock in the evening of the above-mentioned day, heard, as he passed across Hounslow Heath, on the right hand side of the road, near the eleven mile-stone, two groans, the last more faint than the other; on which he remarked to some one on the outside of the coach, that "there was something desperate carrying on there."

Isaac Clayton, beadle of Hounslow, said, he received a pair of shoes and a stick from some person he does not recollect, just after the murder of Mr. Steele; he recollected, near six years ago, seeing Holloway in company with a man of the same name, who had a wooden leg, about the town of Hounslow, and had seen him also at Brentford election, and other places. The prisoner himself acknowledged he knew him, when examined in Worship-street.

Joseph Townsend, police-officer of Worship-street, produced a large knotty bludgeon, a pair of shoes, and a hat, which had been given several years ago to Clayton by Hughes, and was delivered to him by Clayton.

J. Blackman, an officer, knew Haggerty seven years, Hanfield five years, and Holloway a year and a half.

About four years ago, he had often seen them together the Turk's Head, where he conversed with Haggerty, a observed to him he had been lately in a good thing, as dress was much improved; the prisoner said, he had left all off now, as he was serving a plasterer, near Hounsl He was dressed in a green velveteen jacket and sm clothes.

A hat was then produced in court, which had been t property of the deceased, by whom it was given to servant man, who had since worn it almost to rags.—T hat had been very much widened in the wearing, and wh placed on Holloway's head, appeared rather too large him.

William Robinson, hatter to the deceased, stated, t the hat must have been enlarged by wearing, as he had l Steele's measure in 1802; and could answer for it, that deceased's hat must nearly fit the prisoner Holloway, their heads were nearly the same size.

William Britten, shoe-maker, knew well the decease measure, and thought his boots would fit the priso Haggerty. The shoes produced in court, he said, he h tried on the prisoner, and found them rather too large; l added, that it was plain from the manner the hind quarte the shoe had fallen inwards, that they were too large their original wearer.

The prosecution being closed, the prisoners were cal to make their defence.

Haggerty protested he was completely innocent of charge; was totally ignorant of the prosecutor Hanfi denied ever being at Hounslow, and endeavoured to p out some inconsistencies in the evidence which had b adduced by Hanfield.

Holloway declared he was equally innocent of charge; but admitted he had been at Hounslow more t once, might have been in the company of the prison Haggerty and Hanfield, but was not acquainted with eit of them.

The prisoner's counsel then produced, as a witness the prisoners, John Shuter, one of the head turnkeys of

gaol, in whose custody Hanfield had been for some time. He then proceeded to ask some questions, tending to invalidate Hanfield's evidence; but as the witness could state nothing from his own knowledge, he was not permitted to be further examined.

Mr. Justice Le Blanc summed up the evidence in a very clear and perspicuous manner, making some very humane observations upon the nature of the testimony given by accomplices, recommending the jury to divest themselves of every feeling but that of strict justice; and to compare with precision the circumstantial evidence (which was the only evidence we could arrive at in most cases of murder, on account of its usual secrecy) with the direct and positive testimony of the approver Hanfield. He admitted that such testimony should be received with caution; yet such strong collateral evidence must have its due weight and influence on their verdict.

The jury retired for about a quarter of an hour, and returned with a verdict of guilty against both the prisoners. The Recorder immediately passed sentence in the most solemn and impressive manner, and the unhappy men were ordered for execution on the following Monday morning.

They went from the bar protesting their innocence, and apparently careless of the miserable and ignominious fate that awaited them.

Since conviction, Haggerty and Holloway conducted themselves with the most decided indifference. On Saturday, February 21, the cell-door, No. 1, in which they were both confined, was opened about half past two.

They were reading in two prayer-books by candlelight, as the cell is very dark. On Sunday, neither of them attended the condemned sermon, as in cases of murder the offenders are deprived of benefit of clergy, neither does the bell of St. Sepulchre toll during the solemnity of their execution.

On Sunday several magistrates interrogated them;—one of whom, with great acuteness, but they still persisted in their innocence.

During the whole of Sunday night, the convicts were engaged in prayer, never slept, but broke the awful stillness of midnight by frequent protestations of reciprocal innocence. At five they were called, dressed, and shaved, and about seven were brought into the press-yard.—There was some difficulty in knocking off the irons of Haggerty; he voluntarily assisted, though he seemed much dejected, but by no means pusillanimous. A message was then delivered to the sheriffs, purporting that Holloway wanted to speak with them in private. This excited very sanguine expectations of confession; but the sheriffs, on their return, intimated to the gentlemen in the press-yard, that Holloway wanted to address them publicly; and therefore requested they would form themselves into a circle, from the centre of which Holloway delivered, in the most solemn manner, the following energetic address:—"Gentlemen, I am quite innocent of this affair. I never was with Hanfield, nor do I know the spot. I will kneel and swear it." He then knelt down, and imprecated curses on his head if he were not innocent, and expressed, "By God, I am innocent."

Owen Haggerty then ascended the scaffold. His arms were pinioned, and the halter round his neck; he wore a white cap, and a light olive shag great coat; he looked downwards, and was silent. He was attended by a Roman Catholic clergyman, who read to him, and to whom the unfortunate culprit seemed to pay great attention; he made no public acknowledgment of either guilt or innocence. After the executioner tied the fatal noose, he brought up John Holloway, who wore a smock frock and jacket, as it had been stated by the approver that he did at the time of the murder: he had also a white cap on; was pinioned, and had a halter round his neck: he had his hat in his hand; and mounting the scaffold, he jumped and made an awkward bow, and said, "I am innocent, innocent, by God!" He then turned round, and bowing, made use of the same expressions, "Innocent, innocent, innocent! Gentlemen!—No verdict! No verdict! No verdict! Gentlemen,—Innocent! innocent!" At this moment, and while in the act of

saying something more, the executioner proceeded to do his office, by placing the cap over the face of Holloway; to which he, with apparent reluctance, complied; at the same time uttering some words. As soon as the rope was fixed round his neck, he continued quiet. He was attended in his devotions by an assistant at Rowland Hill's Chapel.

The last that mounted the scaffold was Elizabeth Godfrey. She had been a woman of the town, aged 34, who had been capitally convicted of the wilful murder of Richard Prince, in Mary le bone parish, on the 25th of December, 1806, by giving him a mortal wound with a pocket-knife in the left eye, of which wound he languished and died. Immediately on receiving sentence, this woman's firmness and recollection seemed to fail her, and she appeared bordering upon a state of frenzy. At the place of execution she was dressed in white, with a close cap, and long sleeves, and was attended by the Rev. Mr. Ford, the Ordinary of Newgate; but her feelings appeared to be so much overpowered, that notwithstanding she bore the appearance of resignation in her countenance, her whole frame was so shaken by the terror of her situation, that she was incapable of any actual devotion.

They were all launched off together, at about a quarter after eight. It was a long time before the body of the poor female seemed to have gone through its last suffering.

The crowd which assembled to witness this execution was unparalleled, being, according to the best calculation, near 40,000; and the fatal catastrophe, which happened in consequence, will cause the day long to be remembered. By eight o'clock not an inch of ground was unoccupied in view of the platform. The pressure of the crowd was such, that before the malefactors appeared, numbers of persons were crying out in vain to escape from it: the attempt only tended to increase the confusion. Several females of low stature, who had been so imprudent as to venture among the mob, were in a dismal situation: their cries were dreadful. Some, who could be no longer supported by the men, were suffered to fall, and were trampled to death. This also was the case with several men and

bows. In all parts there were continued cries of Murder! Murder! particularly from the female part of the spectators and children, some of whom were seen expiring without the possibility of obtaining the least assistance, every one being employed in endeavours to preserve his own life. The most affecting scene of distress was seen at Green-Arbour Lane, nearly opposite the Debtor's door. The terrible occurrence which took place near this spot, was attributed to the circumstance of two pie-men attending there to dispose of their pies, and one of them having his basket overthrown, which stood upon a sort of stool with four legs, some of the mob, not being aware of what had happened, and at the same time severely pressed, fell over the basket and the man at the moment he was picking it up together with its contents. Those who once fell were never more suffered to rise, such was the violence of the mob. At this fatal place, a man of the name of Herrington, was thrown down, who had in his hand his youngest son, a fine boy about twelve years of age. The youth was soon trampled to death: the father recovered, though much bruised, and was amongst the wounded in St. Bartholomew's Hospital. A woman, who was so imprudent as to bring with her a child at the breast, was one of the number killed; whilst in the act of falling, she forced the child into the arms of the man nearest to her, requesting him for God's sake, to save its life: the man, finding it required all his exertion to preserve himself, threw the infant from him, but it was fortunately caught at a distance, by another man, who, finding it difficult to ensure its safety or his own, got rid of it in a similar way. The child was again caught by a person who contrived to struggle with it to a cart, under which he deposited it until the danger was over, and the mob had dispersed.—In other parts the pressure was so great, that a horrible scene of confusion ensued, and seven persons lost their lives by suffocation alone. It was shocking to behold a large body of the crowd, as one convulsive struggle for life fight with the most savage fury with each other; the consequence was, that the weakest, particularly the women, fell a sacrifice. A cart, which was overloaded

with spectators, broke down, and some of the persons falling from the vehicle were trampled under foot, and never recovered. During the hour the malefactors hung, little assistance could be afforded to the unhappy sufferers; but after the bodies were cut down, and the gallows removed to the Old Bailey Yard, the marshals and constables cleared the street where the catastrophe occurred, and, shocking to relate, there lay near 100 persons dead, or in a state of insensibility, strewed round the street. Twenty-seven dead bodies were taken to St. Bartholomew's Hospital; four to St. Sepulchre's church; one to the Swan on Snow-hill; one to a public-house opposite St. Andrew's church, Holborn; one, an apprentice, to his master's, Mr. Broadwood, piana-forte maker, to Golden-square; a mother was seen carrying away the body of her dead boy; Mr. Harrison, a respectable gentleman, was taken to his house at Holloway. There was a sailor-boy killed opposite Newgate, by suffocation: he carried a small bag, in which he had some bread and cheese, as it is supposed he came some distance to behold the execution. After the dead, dying and wounded, were carried away, there was a cart-load of shoes, hats, petticoats, and other articles of wearing apparel, picked up. Until four o'clock in the afternoon, most of the surrounding houses had some persons in a wounded state: they were afterwards taken away by their friends on shutters, or in hackney-coaches. The doors of St. Bartholomew's Hospital were closed against the populace. After the bodies of the dead were stripped and washed, they were ranged round a ward on the first floor, on the women's side, they were placed on the floor with sheets over them, and their clothes put as pillows under their heads: their faces were uncovered: there was a rail along the centre of the room: the persons who were admitted to see the shocking spectacle went up on one side, and returned out on the other. Until two o'clock, the entrances to the Hospital were beset with mothers weeping for sons! wives for their husbands! and sisters for their brothers! various individuals for their relatives and friends!

Seldom has such a scene of distress and misery presented itself in this metropolis.—When the gates were opened, a great concourse was admitted; and when the yard was full, the gates were again closed, until the first visiters returned from the scene of woe: as soon as any of the deceased were recognized, the body was either put into a shell, or the face covered over, with the name of the party written on a paper, and pinned over the body.

The next day (Tuesday) a coroner's inquest sat in St. Bartholomew's Hospital, and other places where the bodies were, on the remains of the sufferers. Several witnesses were examined with respect to the circumstances of the accident, which examination continued till Friday, when the verdict was, "That the several persons came by their death from compression and suffocation.

GEORGE ALLEN,

Executed at Stafford, March 30, 1807, for the Murder of his three Children.

WE would fain believe that insanity caused the horrid deed to be committed which we have now to name. It appeared in evidence on the trial, that this most unfortunate man, George Allen, had previous thereto been subject to epileptic fits; but that on Sunday preceding the day whereon he committed the murder, he was considerably better. Though a jury found him guilty of premeditated murder, we must, in charity to the failings of human nature, suppose that one of these mental derangements, epilepsy, again seized him at the time he committed this strange, cruel, and most unnatural murder. His examination before the coroner also seems to favour this opinion. At eight o'clock in the evening of the 12th of January, 1807, he retired to rest, and when his wife followed him in the course of an hour, she found him sitting upright in bed, smoking

his pipe, which was his usual custom. In another bed in the same room, lay three of his infant children asleep, the eldest boy about ten years old, the second a girl about six, and another boy about three. The wife having got into bed, with an infant at her breast, Allen asked her, 'What other men she had in the house with her?' to which she replied, 'That no man had been there but himself.' He insisted to the contrary, and his wife continued to assert her innocence. He then jumped out of bed, and went down stairs, and she from an impulse of fear, followed him; she met him on the stairs, and asked what he had been doing in such a hurry? in answer to which he ordered her to get up stairs again. He then went to the bed where his children were, and turned down the clothes. On her endeavouring to hold him, he told her, 'to let him alone, or he would serve her the same sauce,' and immediately attempted to cut her throat, in which he partly succeeded, and also wounded her right breast; but a handkerchief she wore about her head and neck prevented the wound from being fatal.—She then extricated herself (having the babe in her arms all the time, which she preserved unhurt,) and jumped or rather fell down stairs. Before she could well get up, one of the children (the girl) fell at her feet, with its head nearly cut off, and which he had murdered and thrown after her. The woman opened the door, and screamed out, 'That her husband was cutting off their children's heads.' A neighbour shortly came to her assistance; and a light having been procured, the monster was found standing in the middle of the house-place, with a razor in his hand. He was asked what he had been doing; when he replied coolly, 'Nothing yet; I have only killed three of them.' On their going up stairs, a most dreadful spectacle presented itself: the head of one of the boys was very nearly severed from his body, and the bellies of both were partly out, and partly ripped open, and the bowels torn completely out, and thrown on the floor. Allen made no attempt to escape, and was taken without resistance. He said that it was his intention to murder his wife and all her children, and then to have put an end to himself. An old woman, who

lay bed-ridden in the same house, he professed his intentio also to have murdered. An inquest was held on the bodie of the three children, before Mr. Hand, coroner of Uttoxeter when he confessed his guilt, but without expressing an contrition. In answer to other interrogations, he promise to confess something that had lain heavy on his mind; an Mr. Hand, supposing it might relate to a crime he ha heretofore committed, caused him to be examined in th presence of other gentlemen, when he told an incoherent story of a ghost, in the shape of a horse, having, about fou years ago, enticed him into a stable, where it drew bloo from him, and then flew into the sky. With respect to th murder of his children, he observed to the coroner, wit apparent unconcern, that he supposed "it was as bad a case as ever he heard of."

The horrid circumstances of these unparalleled murder having been fully proved, he was convicted, and suffered the final sentence of the law, without evincing a just sens of his crimes.

MARTHA ALDEN,

Executed at Norfolk, July 31, 1807, for Murder.

OF the many instances which we have already adduced, wherein women have committed that very worst of all crimes, the murder of their husbands, perhaps no case has been attended with more malice and fore-thought, art, and cruelty, than that perpetrated by Martha Alden.

Her trial for this offence, came on at the summer assizes for the county of Norfolk in the year 1807.

Samual Alden, the victim of her brutality, was a husbandman, occupying a small cottage near Attleburgh in that county; and was accounted a quiet, industrious character.

The first witness, Edmund Draper, stated, that he had known the deceased Samuel Alden, the husband of the prisoner at the bar; that on Saturday, the 18th of July, he

was in company with the deceased at the White Horse public-house at Attleburgh; that the prisoner, who was present when witness and the deceased met, said to them she was going home with her child, and went away; witness sat drinking with Alden till near twelve o'clock, chatting with the wife of the publican; he then accompanied the deceased to his house, which lay in the way to his own home; witness stated, that he himself was perfectly sober at the time; that Alden however was rather fresh, but sober enough to walk, staggering a little: he staid at Alden's house about three minutes, during which time he noticed that there was a larger fire burning on the hearth in the kitchen than was usual at that time of the year: he said Alden appeared in good health, and that no ill words passed between the deceased and the prisoner in his presence: he proceeded home in the direction of Thetford, and saw no one on the road. This witness described Alden's house to consist of a kitchen and bed-room both on the same floor, and separated from each other by a small narrow passage; he saw no one in the house except the prisoner and the deceased, and a little boy about seven years old.

Charles Hill, of Attleburgh, stated, that on the morning of Sunday, the 19th, he rose between two and three to go on a journey to Shelf-Anger Hall, about ten miles from Attleburgh, to see a daughter. The morning being wet, he took the turnpike road, in the direction to Thetford, and passed by Alden's house, from which his own is only two furlongs distant. When he approached the deceased's house he saw the door open, and the prisoner standing within a few yards of the door; this was nearly at three o'clock in the morning. The prisoner accosted the witness saying, "she could not think what smart young man it was coming down the common." The witness replied, "Martha, what the devil are you up to at this time of the morning?" She said, she had been down to the pit in her garden for some water, this garden was on the opposite side of the road to the house; she also said, "she had not returned long from the town, (meaning Attleburgh town,) where she had been at the White Horse, her husband and

Draper, and herself, all came home together, and her husband was gone back again, she did not know where." The witness did not go into the house; but, looking in, saw some old cloathes lying in a heap next the hearth, which on his enquiring, she said covered her little boy, who was asleep there. The prisoner said, that he (by which the witness understood her to mean her husband) had a brother going into Essex, and had sworn he would go with him; whereupon the witness observed, that he knew Alden had let himself to harvest to Mr. Parson, which the prisoner assenting to, the witness farther said, "If he go into Essex, he wont come back to harvest." The prisoner replied, "I know he will never come back; and if he has got a job, he never will settle to it." The witness saw no person besides in the road.

Sarah Leeder, widow, of Attleburgh, knew the prisoner at the bar: she stated, that on Monday night, the 20th of July, the prisoner came to her house to borrow a spade, for that a neighbour's sow had broken into her garden and rooted up her potatoes; the witness lent her one, which was marked J. H. and she went away with it. On the following evening (Tuesday 21) about eleven o'clock, she went out of her house upon the common to look for some ducks she had missed, and found them in a small pit: near this pit there was another of a larger size, besides a place called Wright's Plantation: in this greater pit or pond, she saw something lying which attracted her attention; she went to the edge of the pond, and touched it with a stick, upon which it sunk and rose again; but the place, though the moon shone, being shaded, she could not discover what it was, and went home for the night. The next morning (Wednesday 22,) however, the witness returned to the spot, and again touched the substance, with a stick, which still lay almost covered with water; she then, to her great terror, saw the two hands of a man appear, with the arms of a shirt stained with blood. She instantly concluded that a man had been thrown in there murdered, and calling to a lad to go and acquaint the neighbourhood with the circumstance, went back in great alarm to her own house. In a quarter of

an hour she returned again to the pond, and found that in her absence the body had been taken out: she then knew it to be the body of Samuel Alden: his face was dreadfully chopped, and his head cut very nearly off: the body was put into a cart, and carried to the house of the deceased.—The witness afterwards went to look for her spade, and found it standing by the side of a hole, which she described to look like a grave, dug in the ditch which surrounds Alden's garden: she further stated, that this hole was open, not very deep, and that she saw blood lying near it. The witness then went into the house, and, entering the bed-room, saw the marks of blood on the bed's-feet, and on the bed-tick: the wall, close against which the bed stood, was also stained with blood. Being interrogated as to what clothes were on the body when taken out of the pond, she said it had on an old coat, with a slop or shirt over it, but neither shoes, stockings, nor breeches on: the shirt was turned over the head.

Mary Parker, a young woman, who lived in Attleburgh, was passing over the common on her way to Attleburgh, on Tuesday (21st of July,) and saw the prisoner digging in her garden. The witness went up to her and said, "You are stopping gaps:" the prisoner answered, "yes, where Mrs. Leeder's sow had got in and spoiled her potatoes." When the witness first saw her, she was digging in the ditch separating the garden from Mr. Parson's field, at the bottom, as if to deepen it; but before the witness got close to her, she had gone to another part of the garden, three or four yards distant; and then got over the fence into the common. The witness saw no branches in the fence, only a little mould thrown down where the prisoner had got over. This witness also saw the body taken out of the pit, and corroborated the testimony of the former witness, as to its appearance and dress.

Edward Rush stated, that on Wednesday morning (the 22d of July,) by order of the constable of Attleburgh parish, he searched the prisoner's residence: in a dark chamber he found a bill hook, which on examination appeared to have blood on its handle, and also on the blade; but looked as if

it had been washed; he also confirmed the statement of a preceding witness as to the state of the bed-room in the house of the deceased, and described its dimensions to be about seven feet by ten.

William Parson, jun. of Attleburgh, stated, that he had known the deceased Samuel Alden and the prisoner at the bar, as reputed man and wife, for the last six or seven years, and that they lived in a cottage in Attleburgh: he further deposed, that on Sunday, the 19th of July, between six and seven in the morning, he met the prisoner in company with a young woman, named Mary Orvice, on the turnpike road, not far from Alden's house; the prisoner told him she had lost her husband; that two men in sailor's habits went past her house about two o'clock in the morning, and she had told them, if they overtook a man upon the road, to send him back; but that they only gave her a dirty answer, and passed on. She expressed herself very unhappy about her husband, and feared that he was either murdered or drowned. On the following morning he saw her again; she then said she had lost her husband, and that she had been walking above thirty miles that very day to look for him. This witness further stated, that he was one of the persons who examined Alden's house and premises, on Wednesday (the 22d,) and the two following days; his evidence on this point agreed with that of former witnesses, and also went to substantiate some additional particulars, namely, that the chimney-board, on the opposite side of the room to the bed, was also marked with blood-stains, which bore the appearance of an attempt having been made to scrape them off with a knife; that the wall of a narrow passage leading from the bed-room to the kitchen was in places discoloured with blood; he also described one of the bed's feet to have had similar stains upon it: this the witness had knocked off, and taken away with him; and, being produced in Court, it was but too correctly found to answer the witness's description: he also found a sack upon the bed, with some spots of blood upon it, and a piece of another sack, which seemed to have been partly washed. In a shed adjoining the house, he likewise discovered another sack, concealed

underneath nearly a hundred flags of turf: this sack was also produced for the satisfaction of the jury; and exhibited an appearance which struck the Court with horror and disgust. Being interrogated as to the distance which Alden's house stood from the pit in which the body was found: Mr. Parson stated, he had measured, and found it to be exactly 380 yards. He also observed the place mentioned by a former witness, which had been dug in the ditch of the garden; it looked like a grave; was about six feet in length, nineteen inches in depth, and of width sufficient to admit a human body; the soil was of hard clay; it was situated thirty eight yards from the cottage.

Mr. Marner, surgeon, of Attleburgh, on Wednesday, at the request of the parish officers, examined the body of Samuel Alden: he found a deep and mortal wound round the neck, reaching from ear to ear, and an extensive and deep cut across the forehead, and another cut down the left cheek, by which the jaw was broken. These wounds, Mr. Marner added, were such as a man could not possibly inflict upon himself.

Mary Orvica stated, that she had been acquainted with the prisoner a good while, and had frequently been at her house. The witness lives at her father's house, a little distance from the prisoner's dwelling. On Sunday (the 19th,) the prisoner asked her to go with her to her house: when she got there, the prisoner said to her, "I have killed my husband;" and taking her into the bed-room, shewed her the body lying on the bed, quite dead with the wounds as before described; her account of the state and appearance of the room, perfectly coincided with the descriptions of the former witnesses; she also said she saw a hook lying on the floor all bloody; when the hook was shewn to her in Court, she said it was the very same she had then seen. The prisoner then produced a common cornsack; and, at her request, the witness held it whilst the prisoner put the body into it; the prisoner then carried the body from the bed room, through the passage and kitchen, out of the house, across the road to the ditch surrounding the garden, and left it. There after throwing some mould over it. The witness

then left the prisoner, and went to Larling; the prisoner slept that night at the witness's father's house. On the following night (the 20th,) between nine and ten o'clock the witness was again in company with the prisoner, and saw her remove the body of her husband (who was a small man) from the ditch of the garden to the pit, on the common, dragging it herself along the ground in the sack; and, when arrived at the pit, the prisoner shot the body into it out of the sack, which she afterwards carried away with her: the deceased had a shirt and slop on. In answer to a question from the judge, the witness said the weather was dry. The prisoner said nothing to her at the time, and she went home. The next morning (Tuesday,) the witness went to the prisoner's house, and assisted in cleaning it up, taking some warm water, and washing and scraping the wall near the bed. This witness's evidence respecting the marks of blood about the room agreed precisely with the description given by Mr. William Parson, jun. The prisoner took up some loose straw, and told the witness she would carry and throw it into Mr. Parson's ditch because it was bloody. The prisoner bade the witness to be sure not to say a word about the matter; for if she did, she, (the witness) would certainly be hanged. Upon being questioned to that effect by the judge, this witness further stated, that she had told the story to her father on the Tuesday night, and to nobody else.

On his lordship asking the prisoner what she had to say in her defence, she told an incoherent sort of story, which, however, as far as it was at all intelligible, seemed rather to aim at making the testimony of the last witness appear contradictory and suspicious, and to implicate her in the guilt of the transaction, than to deny the general charges which had been adduced against herself.

The learned judge then summed up the evidence in a very full and able manner; pointing out, with great perspicuity, those parts of it, an attention to which was more particularly calculated to assist the jury in their important decision, humanely laying a stress on whatever circumstance seemed to be of a nature in the smallest degree favourable

for the prisoner. On the subject of Mary Orwice's testimony, his lordship remarked, that it certainly came under great suspicion, as being that of an accessary to the attempted concealment of the murder. Viewing it in that light, therefore, and taking it separately, it was to be received with extreme caution: but, if it should be found, in most material facts, to agree with and corroborate the successive statements of the other witnesses, whose declarations did not labour under those disadvantages, the jury were then to give it due weight, and avail themselves of the information which it threw on the transaction.

The jury consulted together for a short time, and found the prisoner Guilty. Whereupon the learned judge, after a short, but very solemn and impressive address to the prisoner at the bar, in which he observed that he had never before met with a case so horrid and atrocious, proceeded to pass upon her the awful sentence of the law; which was, that, on Friday, she should be drawn on a hurdle to the place of execution, there to be hanged by the neck till she was dead, and her body afterwards to be dissected.

The trial lasted upwards of three hours. The Court, during the whole time, was excessively crowded, and the heat was consequently very great; several of the female part of the audience were overpowered by it, and obliged to be carried out.

The behaviour of the wretched woman during her trial, as well as before it, appeared in a lamentable degree to be influenced by that hardened and remorseless spirit, which but too surely characterizes the human mind sunk to the lowest state of degradation and depravity. Afterwards, however, she confessed the crime for which she was to suffer. The account she gave of the fatal transaction was, that on Saturday night, the 18th of July, she and her husband (who was at the time a good deal in liquor) quarrelled, and he threatened to beat her. Alden soon after threw himself on the bed, and at that instant she formed the resolution of destroying him; accordingly she ran into the adjoining room, returned with a bill hook, which she held in both her hands, and striking him on the

forehead, instantly killed him. She further acknowledged, that the girl (Orvice) had no concern whatever in the murder, and only assisted, at her request, in putting the body of her husband into the sack.

On Friday, July 31, at twelve o'clock, this unhappy female was drawn on a hurdle, and executed on the Castle hill, pursuant to her sentence, in presence of an immense concourse of spectators. She behaved at the fatal tree with the decency becoming her awful situation.

THOMAS SIMMONS,

(The Man of Blood.)

Executed March 7, 1803, for Murder.

HORRID as our pages have necessarily been, in depicting such as have suffered for this most foul of all crimes, this hardened young villain may, with the greatest propriety, be most fitly called "The Man of Blood;" for such depravity, malignant ferocity, and desperate vindictiveness, surely never before, at his years, entered in one single mind. He was not more than nineteen years of age, and of a clownish appearance. His father was a shoemaker by trade, but followed the plough some years before his death. His mother is also said to be dead.

This malefactor was taken at an early age into Mr. Boreham's family, where he lived some years, till by his brutish behaviour in several instances, they were under the necessity of discharging him; after which he worked at Messrs. Christie and Co. brewers.

Mr. Boreham, a very old gentleman, afflicted by the palsy, has been many years a resident at Hoddeston; his house is on the declivity of the hill, beyond that town,

about two hundred yards from the market-house. He had four daughters, one of them was the wife of Mr. Warner, brass-founder, of the Crescent, Kingsland-road, and also of the Crescent, Jewin-street. Mrs. Warner had been on a visit to her parents for several days; and on Tuesday evening, October 20, 1807, a Mrs. Hummerstone, who superintended as housekeeper, the business of the Blacklion Inn, at Hoddeston, for Mr. Batty, the proprietor, who was at Mr. Boreham's house, in consequence of an invitation to spend the evening with the family. The company assembled in the parlour, were Mr. Boreham, his wife, his four daughters, Anne, Elizabeth, Sarah, and Mrs. Warner. About a quarter past nine, this party were alarmed by a very loud voice at the back of the house. It proceeded from some person in dispute with the servant woman, Elizabeth Harris, and who was insisting to get into the house. He proved to be Thomas Simmons; who, it seems, had, while in the family, paid his addresses to the servant, Elizabeth Harris, who was many years older than himself; but the symptoms of a ferocious and ungovernable temper, which he had frequently displayed, had induced his mistress to dissuade the woman from any connexion with him; and his violent disposition had led also to his dismissal from this family, as before stated. He had been heard to vow vengeance against Elizabeth Harris and the eldest Miss Boreham; and on Tuesday night, at the hour already mentioned, he made his way to the farm-yard, and from thence into an interior court, called the Stone-yard. Elizabeth Harris, on seeing his approach, retired within a scullery, and shut the door against him. He demanded admittance, which she refused; high words accordingly arose; and he plunged his hand, armed with a knife, through a window lattice at her, but missed his aim. This noise alarmed the company in the parlour, or keeping-room, as it is called. Mrs. Hummerstone was the first to come forth, in hope of being able to intimidate and send away the disturber; but just as she reached the back-door, leading from the parlour to the stone-yard, Simmons, who was proceeding to enter the house that way, met her, and with his knife stabbed her in

the jugular artery, and pulling the knife forward, laid open her throat on the left side. She ran forward, as is supposed, for the purpose of alarming the neighbourhood, but fell, and rose no more.

The murderer pursued his sanguinary purpose, and rushed into the parlour, raised and brandished his bloody knife, swearing a dreadful oath, that 'he would give it them all.' Mrs. Warner was the person next him: and without giving her time to raise from her chair, he gave her so many stabs in the jugular vein, and about her neck and breast, that she fell from her chair, covered with streams of blood, and expired. Fortunately Miss Anne Boreham had been up stairs, immediately previous to the commencement of this horrid business; and her sisters, Elizabeth and Sarah, terrified at the horrors they saw, ran up stairs too, for safety.

The villain next attacked the aged Mrs. Boreham, by a similar aim at her jugular artery, but missed the point, and wounded her deep in her neck, though not mortally. The poor old gentleman was making his way towards the kitchen, where the servant maid was, and the miscreant, in endeavouring to reach the same place, overset him, and then endeavoured to stab the servant in the throat; she struggled with him, caught at the knife, and was wounded severely in the hand and arm. The knife fell in the struggle. She, however, got out at the back door, and made her way into the street, where, by her screams of murder, she alarmed the neighbourhood. The poor people, residing near the house, were all in their beds; but the whole town was soon in alarm.

The murderer sought to conceal himself, and after some search he was discovered in a cow-crib; he was immediately made prisoner, and brought to the Bell ale-house, where he was bound and handcuffed until morning, and was actually on the point of death, from the tightness of his ligatures, which had nearly stopped the circulation, when Mr. Fairfax, of the Black-bull Inn, in the town, interfered, cut the ligatures, and thereby prevented a death too summary for the cause of public justice.

Two professional gentlemen in the town, Mr. James and Mr. Worthington, almost instantly attended Mr. Boreham's family, but could render no manner of aid to Mrs. Warner or Mrs. Hummerstone, who were already dead. They dressed, however, Mrs. Boreham's wound, and the old gentleman was found prostrate where he fell, with a poker by his side, which his full strength would not allow him to use.

An inquest was held at the Black-bull Inn, on the Wednesday following, which continued from eleven in the morning until eight in the evening; and wilful murder having been brought in against Thomas Simmons, he was committed to Hertford gaol, to abide his trial, which was expected to have commenced March 3, but owing to the late hour Mr. Justice Heath arrived at Hoddesdon, it did not take place before Friday, March 4.

At a very early hour the Court-house was uncommonly crowded with vast numbers from London and the adjacent villages.

As Mr. Boreham's family, who were all Quakers, refused to prosecute in behalf of Mrs. Warner; the prisoner was only tried on one indictment, viz. for the murder of Mrs. Hummerstone, at the instance of Mr. W. White, and Mr. B. Fairfax, of the Bull-inn, Hoddesdon, and Mr. J. Brown, churchwarden of that place.

Mr. Pooley, as counsel for the prosecution, addressed the jury with great propriety, on the notority of the cause before them, which had been so much the subject of astonishment and conversation, that he must consider them as already acquainted with most of the circumstances, which would be laid before them for their consideration. But to give the prisoner every fair chance for his deliverance, consistent with the public justice of their country, which country they were then representing, he entreated them to dismiss from their minds all information or knowledge of whatever description, which might, in any respect, affect the prisoner, and restrain themselves entirely within the line of that evidence, which, painful as the duty was, it was then his instruction to lay before them. In stating the case, to direct the jury to the nature of the charge, and the

evidence he should have to produce in support of it, he presented them with a summary of facts, which had occurred prior to the commission of the fatal act, for which the prisoner was now to answer to them. He mentioned the circumstance of his having lived a fellow-servant at Mr. Boreham's, at Hoddesdon, with Elizabeth Harris, to whom he had paid his addresses, and wished to marry her; with other particulars which would appear in evidence, and would appear to be necessary to connect the facts, and to ascertain the motives upon which the murder had been perpetrated. He then adverted to the various particulars of the murder, to determine what mind and disposition it had been effected, which was a matter of the greatest importance for their consideration; the nature of his concealment after the horrid deed had been committed, and the manner of his being found; with such other circumstances as it was his duty to describe to them, to enable them to decide conscientiously as honest men, and as they could answer it to God upon their oaths; all which he was satisfied they would faithfully attend to, in discharging the trust which their country had now reposed in them. To ascertain, in the first place, the cause of the premature death of Mrs. Hummerstone, it was necessary to call Mr. Samuel James, who was sent for in his professional capacity, as a surgeon, and residing in Hoddesdon, to her assistance, not being then entirely dead. This was on the 20th of October, 1807. He found her leaning against the pailing near the door, and that she had received a severe wound in the neck. She died in about three minutes after; and there cannot be a doubt that the wound, by whatsoever means it had been given, was the cause of her death.

Elizabeth Harris being next sworn, and asked in whose service she was at the time of this unfortunate accident, answered, that she then lived with Mr. Boreham's family, and for four years preceding; that the prisoner had lived there three years, but quitted his service at Michaelmas. On being asked, if the prisoner had not expressed some strong inclination to marry her, she answered that he had, but that her mistress disapproved of it; and that he had

quarrelled with the witness on that account, before he left the service, and was so enraged as to beat her; and, not contented with this, declared, that he did not care if he had killed her; further adding, that he had often said he would make away with her, because she would not marry him. She then added, that the murder was effected about half past eight in the evening; that she first heard him coming along the yard towards the house, at which time she was in the kitchen; that she heard him swearing violently, and she requested him not to make a noise or disturbance, as there was company in the house; but he said, he did not care for the company, as he would do for them all. The witness then ran into the wash-house, and shut the door, when he struck at her through the lattice. At this time, the noise being very considerable, Mrs. Hummerstone opened the door, and came into the yard, telling him to go away, when he struck her on the head, and knocked off her bonnet, on which she ran back into the house, and he followed her immediately. The witness heard the shrieks of murder, though she could not tell from whence it came, as all the family were in the room, consisting of Mr. Boreham's three daughters, with Mrs. Warner, a married daughter, their father and mother, and Mrs. Hummerstone. The witness then added, that the prisoner very soon came towards the wash-house, when she again shut the door, and cried out "Murder!" and immediately ran into the sitting-room. She saw some person lying under the window, but, from her fright, could not say who it was; she ran away down the passage, followed by the prisoner, where she met her master, a very feeble old man, with a poker in his hand, who was knocked down in running hastily. Being seized by the prisoner, the witness was thrown down, when he drew a knife across her throat, by which her hand, in guarding it, was much cut; and in his second attempt, she wrested it from him, on which he ran away immediately, and she saw no more of him. In his attempts to murder the witness, he threw her across Mrs. Warner, who was then, as she believed, lying dead. Whilst this witness was giving her evidence, her agitation was so great, that she was

obliged to be supported during the whole time she was in court.

Sarah Cakebury was next sworn, who deposed, that she lived near Boreham's, at the time of this misfortune, on the 20th of October, and was alarmed on that evening with the cry of murder: on which she went into the house, where she passed Mrs. Hummerstone, and saw Mrs. Warner lying dead under the window.

George Britton being next sworn, stated, that on the fatal evening of the 20th of October, in consequence of hearing of this melancholy event, he went to Mr. Boreham's house at Hoddesdon; and, after he had been informed more particularly respecting it, proceeded without delay, in search of the murderer. On finding the hat of Tom Simmons, the prisoner at the bar, in the cow-house, he went in further search of him, but did not find him.

Thomas Copperthwaite, on being sworn, deposed, that he also went in search of the murderer, and discovered Simmons, the prisoner, concealed under some straw in a crib in the farm-yard; and on being interrogated as to his dress, he stated, that he had on him a smock-frock, which was very bloody, and that the place where he was found, was about a hundred yards from the house.

The Coroner, Benjamin Rook, Esq. being next called, and sworn, he deposed, that when the testimony of Elizabeth Harris, at the time of his inquest, was read to the prisoner at the bar, he said it was very true, that he had murdered them, and no one else; but it was not his intention to have murdered Mrs. Hummerstone, but that he went to the house with a full design to murder Mrs. Boreham, Mrs. Warner, and Elizabeth Harris, the servant.

The constable, under whose custody the prisoner was conveyed to Hertford gaol, on being sworn, deposed to the same effect; with this additional circumstance, acknowledged to him by Simmons, that after he had thrown the servant down, he heard something fluttering over his shoulders, which made him get up and run away.

Thus closed the evidence on the part of the prosecution; after which, the prisoner, as usual, was called upon to know

if he had any thing to say in his defence, when he very carelessly, and with much apparent indifference, answered, 'No.' The evidence having been summed up by Mr. Justice Heath, before whom he was tried, on a case so very clear, he said, that observations were rendered unnecessary; because, if any doubt could possibly have existed of the prisoner's guilt, he had, more than once, voluntarily acknowledged it.

The jury almost instantly gave the verdict of "Guilty;" and the learned judge proceeded, without delay, to pronounce the dreadful sentence of the law, in the accustomed manner; to be hanged on the following Monday, and his body to be afterwards committed to the surgeons to be anatomized.

The sentence seemed to affect him very little; he walked from the bar with great coolness and indifference; and suffered the punishment denounced for his crime accordingly, on the 7th of March, 1808.

JOHN PALMER.

Executed before Newgate, November 23, 1808, for Burglary.

FAMILIES of large fortune, when they desert London for the summer-season, frequently leave their houses and furniture under the care of some trusty person hired for that purpose. At this season, house-breakers too are on the alert to plunder the town mansion while the owners are severally engaged in the sports of the country. Of this worst description of thieves was John Palmer, the subject of the present case.

He had been an old offender, though only about twenty-three years of age, and was known to the police-officers to be as desperate a character as ever was brought to justice.

He was indicted at the Old Bailey, before Mr. Recorder, in the September Sessions, 1808, for having on the 8th feloniously assaulted William Waller; and for having, with a certain sharp instrument, which he held in his right hand, stabbed and cut him, in and upon his head, with intent to do and kill and murder him. William Waller stated, that he was a porter employed by Mr. Kimpton, an auctioneer, to take care of the house and furniture, No. 20, Manchester-square. He was consequently in charge of that house on the 8th of September, 1808. About four o'clock in the afternoon he shut up the door and the windows, and made them safe. He staid in the house till about seven o'clock; he went out then, having left the house secured; he returned between the hours of eleven and twelve o'clock the same night. He found it the same as he left it; he went in and locked the door; he put the chain on it; he went up stairs as usual. His room was the right hand garret. He went straight forward in the room, and pulled the sash down; he returned back to the bed-side, he pulled his coat and waistcoat off, and his handkerchief and shoes; he put the blankets and the mattress disturbed to what he left them in the morning; he said to himself, he did not leave these things in this manner; he turned round and touched the latch of the other garret; he had the latch in his hand, the prisoner at the bar catched hold of his collar. He was between the doors of the two garrets. He immediately laid hold of his collar; witness said, "Lord have mercy upon me." The prisoner said, "Do not speak a word, Sir, lie down on the bed that is all you have got to do;" then he shoved witness on his breast to the bed, sideways, and threw him on the bed. He stood over witness, and the other man behind him, whom he called Joseph. He said, "Joseph, d—n him, fetch the pistol and we will blow his brains out, he will not lie still;" with that witness gave him a shove, and darted to the window; then he received a blow on his head immediately, from the same man who had hold of him and pushed him. Witness fell towards the window, and as he fell he lifted up the sash; he put his head out of the window, and hallooed out murder, as loud

as he could; the people below halloed out, "Come down and open the door:" he halloed out, "he would as quick as he could." He did; he unbolted the top bolt, and unchained it, and the people outside shoving the door so violently to get in; they shoved witness down, they knocked him backwards, he got up and went to the door, and while he stood there, the prisoner was standing there; the watchman had got him, he was outside of the door. Witness saw the prisoner in custody; he knew him directly. He said to him, "You rascal, you are the man that hit me on the head." He never spoke to witness. The blow he received was with a very heavy crow, he could not tell what it was done with; the constable found it was done with an iron crow; witness bled much and was very faint. He was attended by a surgeon ever since. He was not yet recovered. He had no doubt but that the prisoner at the bar was the person that struck him, the other person made his escape; witness could not have recollected his person, he only took notice of the prisoner. It was a moon-light night, and he was standing over him when he laid on the edge of the bed; his face was about a foot, or a foot and a half from him. His voice was particular. He knew him afterwards by his person and his voice. Henry Dance, a solicitor, living at No. 17, Manchester-square, said, that on the 8th of September, about half past eleven, or near twelve o'clock at night, he heard a cry of murder several times repeated; on going into the street he perceived it appeared at the front garret of No. 20; several persons called out to the man who was crying, "Can you let us into the house;" he said "he was bleeding to death, and could not come down, for they would murder him. Four or five of the strongest people began to kick against the door in order to break it open; while they were doing this, a man appeared behind the area, within the rails; he got over them and jumped down in the street; immediately witness supposed him to be one of the persons belonging to the house: witness laid his hands upon him, and said, what have they been doing to you; he said, they wanted to murder the man that is in the house. Witness then said, who the devil are you? he made

no answer to that as he heard, and he was therefore seized by a number of people, among whom witness was one, and James Cobourn another, and the watchman of their street who was close to the threshold of the door: by this time it appeared the people had burst open the door, and at the door, amongst them, was William Waller in his shirt, bleeding very much indeed. Witness asked Waller if any person belonged to the house but himself; he said, no. Witness said, then this man must be secured. Another watchman of the name of Scofield came up, witness gave him to the two watchmen, and examined the prisoner very attentively, in order that he might know him again. James Cobourn, belonging to the Barrack Office, and who lives in Sheppart-street, Manchester-square, corroborated this statement. He was one of the persons who burst open the door, in doing which he knocked down the prosecutor. He saw him bleeding and lying in the passage. He heard Waller say, that the prisoner was the man who struck him. The prisoner was then secured, and delivered to the watchmen. George Ducas and William Schofield (the two watchmen) swore the prisoner was the man who had been given in charge to them. Ducas challenged him while the gentlemen were kicking open the door. He saw him in the area. Prisoner pretended that he belonged to the house, and that he slept below stairs. Henry Howard, a constable of the parish, said, that the next morning, while the surgeon was dressing Waller's wounds, he searched No. 20, Manchester-square, and on the two pair of stairs window he found an iron crow, which was produced. Witness was desired to look at a red mark on it, which he thought was rust, but the jury were of opinion that it was blood. Benjamin Baker, another constable, said, he searched the prisoner, and found on him a bottle of phosphorus, matches, &c. also a paper with the following writing. "No 18, Edward-street, and a house in Harley-street; No. 30, Oxford-street, and No. 20, Manchester-square—done." A pair of snuffers, and some picklock keys, were also found on him. Waller swore the snuffers was part of Mr. Kimpton's goods he had to take care of. James Lomon, the surgeon, said, that the

wound on Waller's head was about an inch and an half in length, and about the eighth part of an inch in depth; there was also a small wound upon his left arm. The blow fell slanting upon the head and came on his arm. The prisoner in his defence said, he was going by at the time of the noise. He found the snuffers and the keys. On coming up again he was seized by some people and taken to the watch-house. He was quite unprepared for his trial, or he could have produced witnesses who knew him for years, particularly Captain Rolles of The Lion, and Captain Ogle, of another ship, in which he went to the Mediterranean. He declared he had only been seven months on shore. The jury, however, found him—Guilty. Of all those who were capitally convicted during these sessions, Palmer was the only one who was ordered for execution. A few weeks before his execution he gave evident proofs of his wicked disposition. He conceived a plan of escape, which would have involved him in the additional guilt of murder, but which he, notwithstanding, determined to pursue. As it was necessary to have assistance, he communicated his intention to a fellow-prisoner in a similar situation with himself, who gave his consent to participate in his danger, in the hope of sharing in his success. It was arranged between them, to attempt their plan on the following Sunday, when the prisoners and the principal turnkeys were attending divine service, (from which Palmer and his associate were to excuse themselves on account of illness.) The scheme was to assassinate the keeper in the Press-yard, in the first instance; and as there was only another turnkey, whose station was on the inside of the outer gate, he was the only person who would interpose between them and their liberty, him they hoped to subdue by threats, and to be able to lock him up in a place of safety; but in case of resistance, it would be necessary to dispose of him in the same manner as his comrade. In the event of the farther keeper being by accident on the outside of the gate, they were provided with rope-ladders to scale the walls, and also with saws to release them from their irons. When they reached the outside, they expected to be received by their friends; with

proper means to transport them quickly from their prisoners. The confidant and companion of Palmer, not being so hardened in iniquity as himself, communicated in due time to Mr. Newman the scheme in contemplation, when a search was made, and a rope-ladder, with several instruments, were found about the bed of Palmer, and proper means taken for his better security. Finding himself foiled in the object which he had entertained sanguine hopes to accomplish, his mind was for some time so agitated and disturbed, that he could not apply himself seriously and attentively to prayer. As the period now approached for his execution, he seemed desirous to have the term extended for one week, to the end, he stated, that he might have the more time to make his peace with God, an object which he had hitherto neglected for schemes of villainy and wickedness, which had ended in grief and disappointment. Mr. Sheriff Hunter preferred his request to Government: it was refused. He therefore made the best use he could of the few remaining hours left him. He demeaned himself properly to all about him, confessed the justice of his sentence, and professed to die in charity with all men. In order to atone for the crimes he had committed, he made a full confession of every robbery and burglary he had been concerned in, which throws light upon various transactions that might otherwise have for ever remained unknown, and at the same time these discoveries are likely to prove highly beneficial. On passing through the Press-yard on Wednesday morning, on his way to the scaffold, he invoked a blessing on all his fellow-prisoners, and requested of Dr. Ford that the cap might not be drawn over his face until the moment it was absolutely necessary. A silk handkerchief, which he had in his pocket for the purpose, was, at his earnest request, tied over his eyes. He attempted to address the mob from the platform, but his speech failed him. He contented himself with bowing to the populace.

"Oh power of conscience! even in wicked men,
"It works, it stings, it will not let him utter
"One syllable, one, not to clear himself
"From the most base, detested horrid act
"That e'er could stain a villain." DRYDEN.

GEORGE WEBB.

Executed on Shooters-hill, near London, for Burglary.

WE know no greater danger to young men coming from the country to London, than that of falling into profligate company; and this alone brought the subject before us to an ignominious end.

George Webb was born near Broomsgrove, in Worcestershire; and, though the son of a clergyman, became a most notorious depredator. Having come to London, he got acquainted with Richard Russel, John Leonard White, and Edward Egerton, men of infamous characters, went to Woolwich, worked as a lumper, and there married a young woman of the name of Cocks, where he commenced smuggler. About Deptford he was known by the name of Smith; and was committed for an assault, tried at the quarter-sessions, at Maidstone, where he received sentence of imprisonment, to pay a fine of 5l. and to find bondsmen for his good behaviour. He lay there six months after his sentence had expired for want of sureties, and then volunteered his service to the justices to serve in the West Kent Militia: his services were accepted, and he was sworn in at Tunbridge.

He joined the regiment, remained with them five or six months, and deserted; was taken up and brought back to Maidstone as a deserter; was discharged by order of the Secretary of War, taken to the regiment, and punished.

Soon after this, he again deserted, and took an apartment on Blackheath, in the neighbourhood of which many depredations having been committed, he was apprehended and taken to Bow-street, with Richard Russel and Sarah Russel, on suspicion of feloniously and burglariously breaking and entering the dwelling-house of Thomas Ebenezer Taylor, situate at New Cross, and stealing a pair of pistols, an opera-glass, and divers other articles.

They also stood charged with breaking and entering the dwelling house of William Shadbolt, in the parish of Dept-

ford, and stealing divers articles of plate, several silver coins, seven shirts, &c. Also with breaking and entering the dwelling house of Joseph Warner, in the parish of Eltham, and stealing six window-curtains, and divers other articles. When taken into custody, it was found he had been at Birmingham, having sent his mother a letter; a copy of which is as follows:

"My dear Mother,

"Ingratitude, mingled with shame, almost deters me to either write or see you again: however, I have this assurance and full determination of seeing you, please God, and with your approbation, on Wednesday next, at the Hen and Chickens, New-street, Birmingham, with my sister or sisters. It is my intention, please the Almighty nothing happens, to be there on the before-mentioned day, and I hope you will give me the meeting there, if possible you can make it convenient. Do not let the expense be an hindrance, as that's of no consequence, I will defray the whole. So you will, I hope, excuse this short epistle, and forward an answer by return of post, to oblige

Your ungrateful son,

GEORGE WEBB."

Blackheath.

"P. S. Direct for Mr. Webb, near the Hare and Billet, Blackheath, Kent."

The magistrates at Bow-street now thought it advisable to dispatch William Adkins, an officer to Bordesley near Birmingham, the residence of his mother, who, on his arrival there, searched her house, for silver table-spoons and other goods, stolen from the house of General Twiss, of Southend, near Eltham, in Kent. Mr. Payn and Mr. Eagle, constables, assisted him in the search. When he entered Mrs. Webb's house, he found in the house Mrs. Webb and her two daugh-

ters. Mrs. Mac. Gaa and Miss Webb, and Mrs. Knot, a lodger, and the servant-girl. He asked Mrs. Webb, if she had a son who lived in Blackheath; she said, she believed she had: he then asked her if he had not been down to see her lately; she said he had: he then asked her if he had not brought a box or trunk of plated goods in it; she replied, he had brought a box, but there was nothing but clothes in it; and what he had brought he had taken away with him: he then told Mrs. Webb, he was an officer from Bow-street, and he and Mr. Payn and Mr. Eagle had a warrant to search the house: that her son was in custody on a very serious charge, and if he had left any thing with her, or if there was any thing in her house which he had brought down with him, he begged her to mention them, as otherwise, if any thing were found, it might be of serious consequence to her; for as to him (her son) no evidence was wanting to convict him. Mrs. Webb said, There was nothing left there at all. He again begged of her, if there was any thing, to inform him of it; she hesitated awhile, and then said, There was a pair of pistols, which were in a box in the back kitchen; and the witness took possession of them, and also a pair of patent silver clasps or latchets, and wrote his initials on them. He then asked her if there was any thing more, and she positively said, There was not. Mrs. Ann Webb came up to him in the passage, and he asked her if there was any thing more, and she said, There was; she had got a purse and a smelling-bottle in her pocket; and she immediately gave him a silver net purse, a smelling-bottle, and an opera-glass. He then asked her if there was not something else; and she said, Yes, there was, her sister had got a purse also and a pocket-book. He then went to Mrs. M'Gaa, and she acknowledged to have received from her brother a purse and a pocket-book, and went up stairs and fetched a silver net purse, a pocket-book, a pencil, and pencil-case, and gave them to the officer. He then asked Miss Ann Webb, if there were not some plated goods; she replied, Why, has not my mother told you? He said, Yes, but not where they are. Mrs. M'Gaa then took him to a shed in the garden, and shewed him where they were; and out of a rabbit-pen in

that shed he took four plated stands, and two silver salt-spoons which were covered with hay in the pen. He then asked her if there was any thing else; she said, Has my mother mentioned a table cloth? Adkins said, No; and Mrs. M'Gaa then took him up stairs, and shewed him a drawer, out of which he took a large damask table cloth. He then said he must search them; and on that Mrs. Webb pulled out of her pocket a shagreen mathematical instrument case and instruments, which she said she had forgot, and a pocket-book of yellow leather, mounted with silver, which she gave to him. Mrs. M'Gaa afterwards gave him another pair of silver salt-spoons, all which goods Mrs. Webb said her son had given to them. He also took from Miss Ann Webb seven pieces of old silver coin, and one piece of gold coin: also a silver cross set with garnets, and an enamelled trinket mounted with brass. He likewise found in the cupboard in the parlour a silver pepper-box.

The next morning he found in a drawer, in the front chamber, a red morocco writing case, which Mrs. Webb and her daughters said they had no knowledge of. The widow, on examination, afterwards confessed that her son George Webb, about twenty-eight years old, came to see her this day fortnight, in order to sign a conveyance of his interest in an estate to her, which she had contracted to sell to Sir Harry Featherstone Haugh; that he told her he resided at Blackheath, had married a wife with a fortune of 950l. was in the wholesale tea-trade, and doing very well; that he should have it in his power to assist her if she wanted it, and to allow her 50l. a year; that he brought his clothes in a box, and when he first came into the house he told her he had brought her a small present, and went up stairs with his box; and brought down two pair of plated bottle-stands, and two pair of silver salt-spoons, and a silver net purse, and a table-cloth, which he gave to her; that soon after he gave to his sister Mrs. M'Gaa, a silver net purse, and a silver pencil-case and penknife; and to his sister, Ann Webb, he gave a smelling-bottle, a yellow leather purse mounted with silver, and an opera-glass. That as soon as his brother Robert came home from work, he gave him, in

esence, a pair of brass pistols, which he said he de-
for his brother Charles: that he also gave Robert a
patent silver latchets, a mathematical instrument
as he thought Robert had been in a way of trade in
they might have been of service to him; that he said
l given five guineas for the pistols, and two pounds
things for the mathematical instrument case; that she
nother) was proud of these articles as a present from
n, and shewed them to Mr. Allen and Mr. Dickenson,
any other neighbours; that in return she gave her
eorge, before he left Birmingham, a silver watch of
her's, a gold seal, and a silver cup. She, however,
ted, a little before the officers came and searched her
, she had received a letter by the London post,
at a signature, and ill spelt, dated July 1, 1805,
ng her to put every thing out of the house. Fearing
this that her son had done something wrong, she was
ssed to the utmost, and put the two pair of bottle
and pair of salt-spoons in the rabbit pen; and that
the same fears, and under the same alarm, she was
ed to give the false account she did to Mr. Adkins,
ating the things her son George had brought to her

e stolen property being thus ascertained, the suspected
breakers, viz. Webb, Russel, White, Egerton, and
Russel, Russel's wife (aged thirty-five,) were removed
London to Maidstone, and there tried for the same;
Webb and Russel were found guilty, and White,
ton, and Russel's wife, were acquitted. When sentence
ath was pronounced, Webb did not appear the least
ted; but Russel fell on his knees, and implored the
's pardon in the most supplicating manner; and
b's wife, who had been delivered in Union-street,
stone, of a child only eleven days before, went to his
ship, in favour of her husband; but to no avail; as the
e observed, so many depredations had been committed
hat neighbourhood that no pardon could be granted.—
r this Webb kept up his spirits, and expressed his
iments in the following words at the time of his being

under sentence of death in Maidstone-gaol. "White is free; this is a fine night for *cracking*; White has a right to rob another this night; had I been at liberty, I would have robbed two or three houses. My going to Shooter's-hill will save me three guineas;* that will be a reserve for my wife and cub."

His accomplice, Richard Russel, (aged thirty-five), was born at Greenwich, and formerly lived in Bermondsey: he then went to sea; and, on his return, worked as a butcher, at the Red-house, Deptford, afterwards as a lumper, and lately as a journeyman brick-maker, at Messrs. Fenterman and Loat's limekiln, Greenwich, where he earned from thirty-five to forty shillings per week. He lived at Blackheath, where his wife and four children resided. He had been before in custody for stealing a piece of meat at Deptford.

When the officers came to apprehend him for the burglary, for which he suffered, he made a stout resistance, and did not surrender till he had received several severe blows. The behaviour of these two men, while under sentence of death, was exceedingly hardened and depraved. In their repeated attempts to liberate themselves from that security, wherein it was necessary they should be placed, they literally gutted all the padlocks, cut through with the greatest facility a large iron ring, to which they were bound, forced many bolts and bars of iron, and drew up innumerable nails five or six inches long, notwithstanding the vigilance of the keeper night and day upon guard over them.

On leaving the gaol, in order to suffer the sentence of the law at Shooter's-hill, they contumeliously gave three cheers, and Webb said, "It was all right:" They were placed in a coach and four, with the turnkey and another person, preceded by a post chaise, with the Rev. Mr. Shelton, and followed by another, wherein was Mr. Watson, the gaoler, &c. guarded by a train of constables, and the whole escorted

* The expenses of a hearse.

by a detachment of cavalry in front and rear. One of the prisoners looking at the guard, was heard to say, "It is impossible for a fly to make his escape."

On their arrival at Farningham, the guard from the depot was dismissed, and a larger detachment, consisting of a captain's guard, then escorted them to the gallows. On arriving there, they nodded to several of their acquaintances; but that display of boldness, which had been so apparent in these unhappy men, now forsook them, particularly in Webb, who was the greatest bravado. Soon after twelve o'clock, when the usual time had been spent in prayer: in which they joined through the pious admonitions of the chaplain, with great fervency, they were launched into eternity, shewing in their last moments great resignation, and constancy towards each other as confederates, by a voluntary act of their own of having each other's hands tied together, and in which position they quitted the stage of life. Webb, when the caps were drawn over their faces, was heard to say, Lord! have mercy upon us."

ALEXANDER DAVISON, ESQ.

Convicted of a Fraud to a large amount upon Government.

THE following case of enormity will again shew, that as well as the crimes of petty thieves whom death awaits for stealing forty shillings, the greatest peculations, in their turn, become subject matter for our pages.

Joseph Hunt, a *member of Parliament*, fled his injured country with thousands—nay, tens of thousands—of its money in his pocket. Villiers, and some others, whom hereafter we may more particularly note, became defaulters in immense sums, and followed a somewhat similar course; and should they be brought to the bar of justice, they are,

perhaps fined; and pay their ransom with the nation money! mean time honest John Bull, hearing all the things, will often exclaim "How are we ruined."

In the case of Mr. Davison, lest we bring down upon u the ire of a *great man*, we shall confine ourselves to reprint ing a regular report of his trial; and merely observe, tha we take it from "The News," of the 7th of Decembe 1808.

COURT OF KING'S BENCH,

Before Lord Ellenborough and a Special Jury.

THE KING *v* ALEXANDER DAVISON, ESQ.

This long expected cause came on to be tried before Lord Ellenborough and a Special Jury, when the following gentlemen were sworn:

R. Glasson, Esq.	— Roughead, Esq.
Jas. Salt, Esq.	Jo. Jackson, Esq.
Richard Grace, Esq.	Jo. Peales, Esq.
Jos. Scollier, Esq.	Jo. Sloper.
Wm. Horton, Esq.	Jo. Kirk.
Jos. Wilson, Esq.	Jas. Swaine.

Mr. Richardson opened the case on the part of the prosecution.

The Attorney General followed on the same side. The defendant, in the year 1795, became agent for the Barrack Stores, and an agreement was entered into with General Delancy, the Barrack-Master-General. His duty was to purchase all the articles which might be required for that department, for which he himself in his letter of the 10th of January, to the Barrack-Master-General, thought that 2½ per cent. was fully sufficient as a commission for devoting his whole attention to the business. He continued in this situation, performing the duties of his station; and certainly no fault could be alledged against him, till the year 1798, when he began to manufacture the articles in demand, in

large quantities, and charge them to government in the name of George Watson, who it will appear, was his apprentice, and a young man about twenty years in his own employ: on these goods which he so sold, he directed Bowring, his principal clerk, to manufacture false vouchers, with a view to defraud the Barrack department; he also influenced John Allen, another clerk in his employ, to give receipts for large sums of money, pretended to be paid to Watson, so as to give the whole the appearance of a fair and *bona-fide* transaction. This practice he continued till the change of the administration, in 1801 or 1802, when it was likely an investigation would take place, and it struck him that it would be advisable to change the mode of rendering his accounts, and soon after that he sent them in without charging the commission of 2½ per cent. on the goods he himself manufactured and sold. The jury would observe, however, that the charge of commission now alluded to was made in nine different half-yearly accounts, in each of which the defendant takes credit for commission on the whole of the purchase made by him. The same charge was also made in his general accounts, which contained the whole sums specified in all his particular accounts, in all of which, of course, this full commission was charged; and it was not till the year 1800, when the defendant had been questioned on these transactions, and when he found these fraudulent practices pressing hard on him, that he thought of restoring these sums of commission. He (the Attorney-General) should not have thought of judging so harshly of the defendant if he had not what he conceived a picture of the defendant's own thoughts in his conduct, and in written evidence under his own hand. The defendant, when he underwent an examination before the Commissioners of Military Inquiry, in December, 1805, stated, that he had furnished some goods to government himself, but that for these he had charged no commission. This declaration, however, could not apply to the goods here alluded to. Subsequently to the year 1802, the defendant furnished goods to government professedly

from his Bedford-street warehouse, and charged no commission on them, because the goods were known to have been furnished by him, were so furnished publicly, and the receipts of Mungo Sheddon his managing clerk, were given for the price. But should it be said to-day, that he meant this to apply to goods furnished in the name of another person, who, though his own servant, had rendered invoices and receipts in another name? And, after charging commission on these purchases, now say that it was his intention again to credit government with the sums of commission so charged. He should be sorry to hear such a defence set up this day, because it must call from him some observations which he could wish might be spared. But it was said, the defendant intended to debit himself with these sums in another account. The Attorney-General had stated, that the defendant was examined by the Commissioners of Military Inquiry, and was questioned, whether he had not made some overcharges against government, and had also omitted to give items which he had received. On this occasion, finding that these accounts were to be strictly gone into, the defendant had himself made a strict investigation into the state of his accounts, with the object of correcting any mistakes or omissions which might have crept into them, and accordingly on the 15th of May, 1806, gave in a supplemental account, as between himself and General de Lancey, which begins with stating, on the credit side of the account, a former balance due to the defendant of upwards of nine thousand pounds, and then, by giving on the other side, a variety of sums with which he should formerly have debited himself, but which should have been omitted, besides wiping away the balance formerly standing in the defendant's favour, of upwards of nine thousand pounds, produces a balance against him of upwards of six thousand pounds, thereby creating a difference in favour of government of upwards of fifteen thousand pounds. Here was a sum produced to government by the defendant, in consequence of his looking into his accounts with a scrutinizing eye, thinking that he could do so with a better grace himself than by suffering it to be examined by the Commissioners.

If any person thought, however, that he (the Attorney-General) stated this with a view to create a prejudice against the defendant, he erred. He only stated it for the purpose of shewing, that if the defendant had entertained any idea of restoring the sums of commission alluded to, a fairer opportunity than that he had now mentioned could hardly have occurred; and, therefore, that to say it was the intention of the defendant to return these sums of commission, which had been unjustly detained, was an after-thought. He was satisfied the defendant had no such intention till after the discovery, in consequence of which the present action was brought, had been made. And why? because he thought the fraud could not be detected, and that he was fortified by the bill of parcels and receipts which he had produced.—Did the Court and Jury require any further evidence, that the defendant did not intend to restore this commission? If they did, he should give it them. If he had intended to do so, he would have done it immediately. The Commissioners of Barrack Accounts had asked of the defendant to produce his cash account, which referred to these matters. He refused to do so; but at the same time, he though it necessary to state an excuse for this refusal, and what was his reason? Because his accounts had all been tendered, settled, and the balance paid!—If he had wished to return the sums in question, here was an opportunity. But such was not in his contemplation. On the contrary, when asked to produce his cash account he says, "You have no right to look into my accounts. They are all tendered, examined, and the balance paid!" Yet he was to be told to-day, that it was in the mind of the defendant to give credit to government in another account.

Mr. Thomas Bonnar, secretary of the Commissioners of Military Inquiry, produced the agreement, and the subsequent nine half yearly accounts, with other vouchers rendered to the Barrack Board, wherein he charged large quantities of stores, bought from George Watson, and the different receipts, as proof of payment for the same, signed by John Allen.

public offices, where he was considered as a very active punctual man in all his transactions. He acted as agent till 1798, when the demand for Barrack Stores was so great, that he allowed him to supply the articles from his own stores in Bedford-street. The patterns and the prices were submitted to the witness, and approved of. The whole was, except this deviation, conducted on the principle of the old agreement as to the commission. He had no suspicion of his acting fraudulently; on the contrary, he had the greatest confidence in his skill and activity, and he still thought so.

Cross-examined by the Attorney-General—Patterns and prices were in most cases sent in and approved of; but he made no inquiries in order to ascertain the prices of the day. He did not make any inquiries among those who had been stated by Davison to have supplied him, about their prices. If the supplies were furnished at a reasonable rate, he did not think it material from whom they came. Being asked, whether he thought it immaterial that the checks should be lost? he answered, that if Mr. Davison furnished the stores at the market prices, there could be no harm done to the public. Being asked, whether he relied on Mr. Davison's judgment when it became his interest to raise the prices as high as possible? he replied, that he never considered it as a certain conclusion that Mr. Davison would raise the prices.

Attorney-General—But it was his interest to raise the prices. Witness—I saw no objection to the business, if Mr. Davison did not exceed the prices which others had rendered.

Attorney-General—Mr. Davison checked as an agent; how did you agree that he should charge commission on his own supplies, as well as on what he purchased? Witness—That depends upon the construction that may be put upon the agreement.

Attorney-General—That won't do, Sir.

Lord Ellenborough—You must answer the question directly, whether or not you authorised him to charge commission upon the stores furnished by himself. Witness—I did not authorise him. General De Lancey, in continuation,

buy all the stores, and to transact the whole business, for which he was to have 2½ per cent. commission. Inthe year 1798 the demand for barrack stores became so great, that thearticles could not be procured in the market; and by a new agreement entered into by the Barrack-Master-General, Mr. Davison was ordered to supply them himself. Being an army clothier, he possessed every facility and advantage, and for which he was allowed to charge the commission originally agreed on. These important facts would be proved by General De Lancey, whom he would call, and whose testimony would place his client in a very different light, with respect to his transactions with the public; independent of which he had other witnesses to call, who would also prove that the articles supplied were charged 3 per cent. under the prices charged by others; so that the public gained, instead of losing, by the transaction. The defendant employed one thousand workmen, and he acted under a new, positive, and particular agreement; and his reason for making out his accounts in the way that he did, was by the suggestion of his clerk, as conformable to the original agreement, and the Barrack regulation.

Lord Ellenborough.—"What do you say to the answer to a question of the Military Commissioners, in which Mr. Davison denies the existence of any other agreement than that first concluded: it will be material for you to observe upon that before you sit down, as you will have no opportunity of doing it afterwards."

Mr. Dallis said, that he would not overlook that. The General would tell them that there was a second agreement. Supposing the existence of this, the next question would be, whether Mr. Davison was not entitled to commission on what he furnished from his own stores, as well as what he purchased from others. The charge was for frauds, and the defendant must be acquitted, if he either was entitled to commission, or had reasonable ground to suppose that he was so entitled.

General De Lancey proved that he appointed the defendant as agent to Barrack Stores in the year 1795; he at the time had no knowledge of him, but meeting him at

he had carried on business as an army clothier. In the first half year of 1803, the accounts were drawn up different from that in which they had been made up in 1798 to 1802. The reason was, that in the interval of 1802, when no supplies were delivered, he spoke to Mr. Davison about altering the accounts. He had some doubts whether the commission would be allowed on the supplies from their own warehouse, and suggested the consideration, whether the charge ought not to be withdrawn. At the outset he thought the charge perfectly regular. But he had some doubts afterwards, and mentioned the subject to Mr. Davison. Upon that Mr. Davison advised him to get the accounts back again, and to make the proper alteration; remarking at the same time, that if he erred, he had rather err on the right side. He applied twice to Mr. Starbank at the Barrack office, but could not get the accounts back again; but Mr. Starbank said, that the credit might be given in some future account. Mr. Davison desired him to keep it in mind, and credit it in the account current with the Barrack-Master-General. No commission was charged in the subsequent accounts for supplies from the Bedford-street warehouse. A supplemental account was given in, but the credit was not given owing to a neglect of his.

Cross-examined by Mr. Garrow.—No memorial was sent in to the Barrack-Master-General, desiring that the accounts might be corrected. Mr. Davison merely desired it to be kept in mind and credited. They had always an open account with the Barrack-Master-General. Mr. Davison directed him to get the accounts made out in the names of Allen and Watson, as a matter of form. The first receipts of Allen and Watson had been taken for several half years after the accounts had been delivered in. These receipts were upon stamps, as if they had been regular transactions. When he ceased to charge commission he made Davison debtor to his own house.

Lord Ellenborough.—Is there any reason why the name of Watson should have been used rather than have the account drawn up in the regular way, except for the purpose of getting the commission? Witness—I do not know any except what I have stated.

Mr. Starbank was next called, who proved that Bowring had called at the office for the accounts, which he had refused to deliver, conceiving it his duty not to part with them. There was a supplemental account given in, in which many errors were rectified.

Mr. Dallas.—Your Lordship recollects that the inquiry did not take place till 1805, whereas the application for the accounts was in 1803.

Lord Ellenborough.—"Yes; but in that very year, 1803, other inquiries were going on, which might occasion the dread of detection."

The witness proceeded to state, that he did not recollect that any thing had been said by Bowring about improper vouchers. The supplemental account was stated in 1806, and referred back to 1804, the time when General De Lancey left the office.

Lord Moira was called to character. He had known Mr. Davison for a great many years, but was not particularly acquainted with him till he applied to him to accompany the army which he commanded in the last war, as Commissionary-General. He had requested this of him as a favour, and his conduct was punctual and delicate, for he often sacrificed emoluments to which he was fairly entitled. He had no suspicion that he could be guilty of any fraud; for if he had, he would not have applied to him to accept of the office of Treasurer of the Ordnance, which was no object to him, for by accepting this he lost his half pay as Commissionary, and the difference between the full pay of the Treasurer of Ordnance, and the half pay of Commissioner was only 70l.

Sir Evan Nepean, Sir Andrew Snape Hammond, Sir William Rule, the Hon. Wellesley Pole, Mr. John Martin Leak, Mr. Hunter, Mr. John Cowley, Mr. William Smart, Mr. James Davidson, Mr. Black, Mr. Gilpin, Mr. Long, and Mr. Huskisson, also gave the defendant an excellent character, and declared that they would have thought it very unlikely that he should be guilty of a fraud.

The Attorney-General in reply regretted as much as the counsel for the defendant, that there had been any calum-

nies which had gone abroad in prejudice of the defendant's case; but of this he was certain, that no one would impute to the crown the design of assisting in them; for his own part he had not read them, and he was sure the jury would dismiss them from their minds; he concurred also with his learned friend in desiring, that if the jury could have a doubt upon the case, they should incline the balance in favour of the defendant. As to the character which had been just given to the defendant, it could not in such a case have any weight, except bringing to one's mind the melancholy reflection, that many men, who have maintained the best character through a great part of their lives, do not put a sufficient value upon the preservation of it, and do omit to take the advantage, and often commit offences, especially against government, with the hope of secrecy and impunity, for the sake of some paltry advantage of private gain. Every man finds friends to give him a character, till the very moment when he ceases to deserve it; and that moment has unhappily arrived for the defendant. With respect to the grounds upon which the defendant's counsel had rested his case, he was not inclined to be dissatisfied with them, although they did not appear to be sufficiently comprehensive. In Lodge (the packer's) account, the names of the merchants occur truly, and there stands the article as good furnished by Sheddan, and Watson's name was introduced afterwards in the Barrack office return; and it is important that in the first account rendered, this name was written upon an erasure, for most probably Sheddan's name was originally inserted there, and the puting in the name of Watson was an after-thought. What reason has been given for this by the defendant's counsel, except that it was for the purpose of enabling him to charge the commission. For this purpose Bowring is brought forward to volunteer a satisfactory account how the mistake arose, and it will be proper to take him through his whole account, reserving that part in which he is flatly contradicted for the last observation. The reason why he substituted this name, is said to be, that he observed how strange it will be for you to appear to sell goods for yourself; and therefore for mere form's sake they fabricate receipts, and

for mere form put Davison to the expence of stamps, to make it all appear regular. This fabrication happened after the accounts were delivered, and in 1802 there took place a strong investigation into the public accounts, and from that time he renders his accounts Alexander Davison, debtor to the Bedford-street warehouse, and the receipt is by Sheddan for the Bedford-street warehouse. As to the reason for this change, and the application to Starbank at the Barrack-office, it is obvious that Bowring has built a false story upon that which is perhaps a true transaction; for it is not true that he stated to Starbank that he wanted to deduct the over-charge of commission. There were other gross errors in the accounts to the amount of upwards of fifteen thousand pounds which were ripe for detection; and upon Starbank's refusing to give up the accounts, he did by a supplemental account give credit to government for various items to the amount of 15,479l. and one may judge of the correctness of what he states without contradiction, by the falsehood of that in which he is met by another witness. His evidence is nothing, without he can shew, that he stated to Starbank what he wanted the accounts back for, and he says, he told it was to correct the Commission account; but Starbank says, most certainly he did not so state it. Starbank recommending him to make allowance for errors in some future account, he says, he told Davison; and he said, bear it in your mind and send it in some future account, instead of which he never sent that in, although from the transaction since he had opportunities of correcting it. He, Davison, is then called before the Commissioners—his accounts are questioned, and he swears in express terms that he executed his commission on the terms of his agreement made in 1794, and that there was no new agreement, or any thing in the nature of an agreement, between him and General De Lancey. Now notwithstanding what De Lancey might have thought of the effect of the supposed subsequent agreement, as to charging commission, if Davison felt that a new agreement for commission upon his own supplies was to be inferred from it, how could he have sworn to this? In truth he never looked forward to his present situation. *He thought then*, and justly too, that it was not

discovered that Watson and Allen were fictitious merchants, and supposed that the fraud never would be detected; and therefore never thought of talking of a new agreement then. If this was a mistake, he had opportunities of rectifying it. To-day I put the case upon the fact, that from 1787 to 1802, he did render goods of his own to government, and charged a commission. I thought it might be said to be a mistake, and prepared myself to meet that case. But it is answered for me by the defendant; for instead of shewing that it escaped his attention, he has proved by Bowring that it occurred to him as doubtful whether he could charge it or not; that he bethought himself of the error, and intended to settle it. If that was true, how could Davison himself swear, as he did, in the answer to the 36th question of the Commissioners in 1805, that he never did render goods from his own warehouse and charge commission upon them. Does he not rather stand in the situation of a man who had done wrong, and thought himself so armed with false vouchers as to be able to escape detection? A second time he has an opportunity of correcting the error, when on the 23d of November, 1806, he retires behind the trenches of his settled accounts, and makes a balance against himself of 6047l. 17s. 11d. which he pays in about May 1806; and when he is afterwards required to render a cash account, he says, they have no right to call upon him for any inquiry into that account, and holds the Commissioners at arm's length, and tells them that the account has been settled a long while, and the balance paid. There are, therefore, three occasions on which he had an opportunity of setting the account right, all of which he passes by. What was it that induced him to do this? It must have its true name—it was a gross fraud. It is true he obtained permission to make "some sort of a change in the agreement" from General De Lancey, which did change his character. By his change of character he took a profit six or seven times greater than this commission. And the additional charge of commission could not be allowed, without De Lancey was imposed upon by false vouchers, which was easily effected. For a general account only is sent into General De Lancey,

and there the commisson is charged, but it does not directly meet the eye. In the abstract sent to the office, six hundred pounds, supposing that to be the amount of the goods supplied, is charged, and underneath is added fifty pound, for commission; but in the general account it stands as one sum of six hundred and fifty pounds. De Lancey could therefore know nothing of the charge of commission, and Starbank thought all was regular, because he did not know that Watson was not truly a merchant, whose name he saw as the supplier of goods, and not Davison's—This is necessary to be explained, because otherwise De Lancey may be under the imputation, that, notwithstanding he was of opinion, that it would be wrong to charge commission, he must have seen commission charged upon the whole account, and also have known that Davison supplied part at least of the goods. One may be well satisfied, said the Attorney-General, that this cause did not call for so long an answer, but it is for a cause of very great importance for the public, and it is not a light case as to the effect which it will have in giving security to the public against frauds in public accounts. It may not be easy to trace those effects immediately; but if frauds are permitted to go unpunished, impunity in one instance leads to the commission of many others, and the example of punishment can alone check the evil. In the words of the indictment, it is now clear, that with intent to procure to himself an undue commission, this defendant did render to the public office these false receipts and vouchers.

Lord Ellenborough summed up the case very carefully, without attempting to recapitulate all his observations upon the evidence, which would lead us back through the greatest part of the foregoing statement. He dwelt with much impartiality and discrimination upon the principal features of the case, and said it was admitted that the vouchers were false, and that the charge for commission could not be allowed. How false vouchers could be used with an honest intention, could not be perceived. Honest ends seldom, if ever, require dishonest means. As to professed intentions of rendering back the money in some subsequent account,

if the fraud was once committed by the production of false vouchers, that would not be a defence; but, still, if there was an honest intention of repairing the error, that would strongly beat an appeal to the hearts of all men to induce them to suppose that the original intention of producing the vouchers were fraudulent. This, however, did not appear; for when the defendant had a *locus pœnitentiæ*, and might have corrected the error which his recollection brought back to the subject, he did not correct the account. His corrections applied only to 15,479l. for other errors. As to the defence upon the right to charge commission under a new agreement, he said he waited for the evidence with great anxiety, because it was not consistent with his own oath, in the answer to the 6th question; and if such an agreement had been proved, it would have been open to great suspicion of a collusion with General De Lancey. The evidence of that gentleman had, however, disproved that part of the case.

After his lordship had gone through the evidence, the counsel for the defendant took an objection to the information, that it stated that Mr. Davison was entitled only to commission upon the sum charged for the goods, instead of which he was to have a commission on all charges of insurance, freight, and other sums advanced. But his Lordship thought this immaterial, as it was only necessary to state what was material to the fact charged, and as it was charged that he supplied goods to a certain amount, and received 328l. as commission upon the price of those goods, which was true, it was immaterial whether in fact he made other charges and had other commissions. He said he recollected a case of the name of Yate v.——(Yate v. Willan we believe, in East's Report,) in which that point was settled.

The jury, between seven and eight o'clock, pronounced a verdict of guilty.

This trial lasted from nine in the morning until eight at night.

He was sentenced to two years' imprisonment.

THOMAS JEWETT,

Executed at York for a Rape on his Master's Daughter.

"Let ignominy brand thy hated name;
Let modest matrons at thy mention start;
And blushing virgins, when they read out annals,
Skip o'er the guilty page that holds thy legend,
And blots the noble work."

SHAKESPEARE.

THOMAS JEWETT, of Old Malton, in the North-Riding, aged 24 years, was charged with violating the chastity of Elizabeth Stabler, his master's daughter, a child under the age of ten.

The counsel for the prosecution stated, that the prisoner was servant to William Stabler, blacksmith, at Old Malton, and lived in the family as an inmate.—On Sunday the 27th of July, 1807, Mr. Stabler and his wife went to Castle-Howard, leaving the care of his family to the prisoner. The family consisted of five children, the eldest of which was the child on whom the injury was committed, and who was at that time under the age of nine years. The two eldest boys went to a Sunday school, leaving only this girl, the prisoner, an apprentice-boy, and two young children, under four years of age, in the house. The apprentice boy was sent out of the way to fetch some water; and in his absence the prisoner committed the unmanly crime for which he now stood at the bar.

We shall briefly state the substance of the evidence in this case, without entering into any details of the testimony of the respective witnesses. As soon as the prisoner had got the apprentice out of the way, he proposed to Elizabeth Stabler to go with him into his lodging room, and he would give her a glass of gin. The girl acceded to this proposal; and the prisoner gave her a glass of the liquor he had promised her, which she drank; he offered her more, which she refused. The prisoner then placed the child upon his bed, and ruin ensued.

The child did not complain of his outrage until the following Wednesday, when, upon being interrogated by her mother, she related the whole transaction, and whose evidence, as to the situation of her daughter, materially corroborated the child's testimony. On the following day a surgeon was sent for, who examined the child, and whose evidence we cannot notice further than by stating that it placed beyond a doubt the truth of the previous testimony of the girl, and proved the actual perpetration of the crime. The prisoner, when charged by Mr. Stabler with the injury done to his child, at first denied it: but afterwards confessed it, so far as to beg forgiveness; but in a few days thought proper again to deny the charge, which so irritated his master, that he had him apprehended.

Many witnesses were examined on the part of the prisoner, who gave him an exceeding good character, but whose evidence no farther affected the charge against him than by proving that the girl had not been so much injured as to prevent her attending school the following week.

The judge then stating the law to the jury, said, "That the statute which took the benefit of clergy from persons convicted of rapes, had made it a capital offence for any man to have what the law calls carnal knowledge of a female child under the age of ten years; and that without any reference to consent or non-consent of the child. His lordship then recapitulated the whole of the evidence.

The jury, after consulting for a few moments, found the prisoner guilty, but recommended him to mercy on account of his general good character.

His Lordship with the most impressive solemnity said, "Gentlemen, I always listen with pleasure to your recommendation, whenever I can do it consistently with my public duty; but I am afraid I should hand over the young and innocent part of the female sex to the lusts of the depraved part of the other sex, if I should in this instance yield to your suggestion; and it will be my painful duty to leave the prisoner to the unmitigated severity of the law."

In passing sentence of death, he observed, "that it would be in vain that the law protected female youth and innocence,

with the heaviest penalty against those who outraged them, if the ministers of the law had not courage fully to execute it."

The jury who tried him, though by their recommendation they evinced the quality of mercy, which the immortal bard says; "Is not strained, but droppeth like the gentle dew from heaven," yet they did not exercise the necessity of discrimination in the degree of crimes. Of twelve men, who are always empannelled in matters of life and death, several must have been fathers, and all related to some female of tender years;—how then could such men talk of mercy in this world for him who could first betray his trust, and then carnally assault his master's infant daughter. To such a man, we think, death was a mercy.

WILLIAM BRAGGE,

Convicted at the Lent assizes, for the county of Durham, 1809, and fined and imprisoned, for perjury.

THE defendant was Captain and owner of a trading vessel, and lived at North Shields. He was tried at the assizes for the county of Durham for perjury, and found guilty.

The circumstances of the case were as follows:—His brother, John Bragge, was impressed from on board his ship, and an application having been made to the Court of King's Bench for a writ of Habeas Corpus to have him discharged from the King's service, into which he had been so impressed, it became necessary that the affidavit should state that he, John Bragge, had not been at sea, or in his Majesty's service before; which affidavit was made by the defendant; whereas in truth, and in fact, he, the defendant, well knew that John Bragge had been twice in the Royal Navy before. This was fully proved, and upon that proof the defendant was found guilty.

Mr. Justice Le Blanc, in the absence of Mr. Justice Grose, in an eloquent manner, wherein he pronounced in a well directed and emphatic eulogium upon the value of the writ of Habeas Corpus, pronounced sentence, which was—that the defendant should pay a fine of 50*l.* and be imprisoned in the gaol of Durham two years.

Though we have had occasion, in our former Volume, to mention the writ of Habeas Corpus, thus eulogised by this learned judge—this second Magna Charta—the barrier of the poor man against the oppression of the rich—still have we omitted to give the glorious boast of Englishmen at length. The above case forcibly reminds us of our neglect, while we are pleased to think that it is not yet too late; we therefore now perform that agreeable part of our duty, and recommend every man to imprint each line fully upon his mind.

THE STATUTE 31st CHARLES II. THUS ENACTS,

"There having been great delays used by the sheriffs, gaolers, and other officers, to whose custody the King's subjects had been committed, in making returns of writs of Habeas Corpus, &c. whereby many persons had been long detained in prison, in such cases where by law they were bailable; for prevention thereof, and the more speedy relief of all persons imprisoned for any criminal matters, it is enacted,

1. "That whensoever any writ of Habeas Corpus shall be brought and served upon any officer, or other person for any one in his custody, or shall be left at the gaol with any one of the under-officers, the said officers or their keepers or deputies, within three days after that, (unless the commitment were for treason or felony plainly expressed in the warrant of commitment) on payment of the charges of bringing the prisoner, or tender thereof, to be ascertained by the judge or Court that awarded the writ and endorsed on the same, not exceeding 12d. per mile, and upon security given by the prisoner's own bond to pay charges of carrying him back, if he be remanded by the Court, and that he will

not make any escape by the way, shall make return of such writ of Habeas Corpus, and bring the body of the party committed before the judges or barons of the Court from whence the writ shall issue, or to such persons before whom the writ is returnable, and shall certify the true causes of his detainer or imprisonment; but if the place of imprisonment be beyond twenty miles, and not above one hundred miles off, then ten days is allowed for the same, and if further, it shall be within twenty days, and no longer.

2. "And persons committed and detained for any crime (unless for treason or felony expressed in the warrant as aforesaid) in the vacation time, may complain to the Lord Chancellor or keeper, or any judge, who upon view of the commitment, or oath of its being denied, shall upon request by such persons, or any in their behalf, attested and subscribed by two witnesses, grant a Habeas Corpus under the seal of their respective Courts, returnable immediately; and on service thereof, the officer within the times before limited is to bring up such prisoner before the said Lord Chancellor or judges, before whom the writ is made returnable, with the causes of his commitment; and thereupon, within two days after he shall be brought up, the prisoner shall be discharged from his imprisonment, on entering into recognizance with one or more sureties, to appear in the Court of King's Bench the term following, or at the next assizes, sessions, or general gaol delivery, or such other Court for the county where the offence is cognizable: into which Court the writ, return, and recognizance aforesaid, shall be certified, unless it shall appear that the party is detained upon a legal process or warrant, for such matters or offences which are not bailable by law.

3. "Provided always, that if any person shall neglect to pray a Habeas Corpus for his enlargement, by the space of two terms after he is committed, he shall not have any such writ in the time of vacation, in pursuance of this act.

4. "If any officer or officers shall refuse to make their returns, or to bring the body of the prisoner as aforesaid, according to the command of the writ, within the times

aforesaid; or upon demand made by the prisoner, or any in his behalf, shall refuse to deliver a true copy of the warrant or commitment, within six hours after demanded, such officers, gaolers, &c. in whose custody the prisoner shall be detained, shall forfeit for the first offence 100*l.* and for the second offence 200*l.* to the party grieved, and be rendered incapable to hold their offices; the penalties to be recovered by action of debt, bill, plaint, or information, in any of the King's Courts at Westminster, wherein no essoin, &c. or stay of prosecution, shall be admitted or allowed.

5. "And no person, who shall be delivered and set at large by Habeas Corpus shall be again imprisoned for the same offence, by any person other than by legal order and process of such Court, wherein he shall be bound by recognizance to appear, or other Court having jurisdiction of the cause; and if any other person shall knowingly imprison again the person delivered or set at large, they shall forfeit to the prisoner 500*l.* to be recovered as aforesaid.

6. "Persons committed for high treason or felony, plainly and especially expressed in the warrant, upon prayer in open Court the first week of the term, or first day of the sessions of oyer and terminer or gaol-delivery, to be brought to trial, if they are not indicted the next term, sessions of oyer and terminer, or gaol-delivery after such commitment, the judges upon motion made in Court the last day of the term or sessions, shall set them at liberty upon bail, unless it appear upon oath, that the King's witnesses could not be produced that term or sessions; and if any such persons committed as aforesaid, upon such prayer aforesaid, shall not be indicted and tried the second term or sessions after commitment, they shall be discharged from their imprisonment.

7. "But nothing in this act shall extend to discharge out of prison any person charged in debt or other action, or with process in any civil cause; but that after his acquittal for his crime, he shall be kept in custody for such other suits.

8. If any person or persons, subjects of this realm, shall be committed to any prison, or be in custody of any officer, for any criminal matter, the said person shall not be removed from the said custody into the custody of any other officer, unless it be by Habeas Corpus, or some other legal writ, or where the prisoner is delivered to the constable to be carried to goal, &c. or when any person is sent by order to the house of correction, or removed from one prison to another in the same county, in order to a trial or discharge; or in case of sudden fire, infection, or other necessity. And persons making out and signing any warrants for removal, contrary hereto, or countersigning the same, and the officers obeying or executing them, shall incur the forfeitures before mentioned, both for the first and second offence, to the party grieved.

9. "And any prisoner may move for and obtain his Habeas Corpus, as well out of the Chancery or Exchequer, as out of the Courts of King's Bench or Common Pleas, and if the Lord Chancellor, or any judge or baron, shall deny any writ of Habeas Corpus required to be granted as aforesaid, they shall forfeit to the party grieved 500l. recoverable in manner aforesaid.

10. "And it is declared that writs of Habeas Corpus may run into any county palatine, the cinque ports and other privileged places of England, and into the isles of Jersey and Guernsey.

11. "No subject of this realm shall be sent prisoner into Scotland, Ireland, or into any parts beyond the seas, which are or may be within or without the dominions of his Majesty, his heirs or successors; and if any of the said subjects be so imprisoned, it is illegal, and every such person shall for such imprisonment have an action of false imprisonment against him by whom he shall be committed, detained, imprisoned, sent prisoner, or transported, and against all persons that shall frame, contrive, write, seal, or countersign, any warrant for such commitment, or shall be advising, aiding, or assisting, in the same: and shall have judgment to recover treble costs, besides damages, which damages shall not be less than 500l. in which action no delay or stop of

proceedings, nor no injunction, protection, or privilege, &
shall be allowed; and the person or persons so offending
aforesaid, being lawfully convicted thereof, shall be disabl
to bear any office of trust or profit within the realm,
dominions thereunto belonging, and incur the pains, pe
alties, and forfeitures, ordained by the statute of *præmuni*
made in the 16th year of Richard II. and be incapable
any pardon from the king, his heirs, or successors.

12. "This act shall not extend to any person who h
contract in writing shall agree with any merchant or own
of a plantation, &c. to be transported, and shall have r
ceived earnest upon such agreement; nor to persons co
victed of felony, and praying to be transported beyond t
seas, who may be so transported into any parts notwithstan
ing this statute; nor to the imprisonment of any pers
before the time limited for the commencement of the ac
or any thing thereto relating, nor to persons resident in th
realm, that shall have committed any capital crime in Sco
land or Ireland, &c. but that such persons may be sent
receive trial as before this act.

13. "And persons offending against this act shall not b
impleaded for any offence, unless the same be done with
two years at most after the offence was committed, in ca
the party grieved shall not be then in prison; and if h
shall be in prison, then within two years after his delive
out of prison or decease.

14. "After the assizes proclaimed for any county, n
person shall be removed from the common gaol upon a
Habeas Corpus, pursuant to this act, but shall be broug
thereupon before the judge of assizes in open Court: b
after the assizes are ended, any person detained may have
Habeas Corpus, according to the direction and intention
the act.

15. "If any information, suit, or action, be broug
against any person or persons for offences against this la
the defendants may plead the general issue, and give th
special matter in evidence; and the said matter shall be
available to all intents, as if they had pleaded or allegg

the same matter in bar or discharge of such information, suit, or action.

16. "Persons appearing to be committed as accessary before the fact, to any petit treason or felony, or upon suspicion thereof, which shall be especially expressed in the warrant of commitment, shall not be removed or bailed by virtue of this act, or in any other manner than they might have been before the making of the same."

Singular Robbery at the British Museum.

THIS most ungrateful thief stole from the portfolios, deposited in the above place, rare and curious prints, estimated to be worth at least 1500l. From the time many of the articles have been sold to print dealers, this person must have been in the habit of stealing them for more than a year.

The circumstance which led to discovery was, the sale of a copied print from the original. Among the many painters' etchings that are eagerly sought after, are those of the celebrated Rembrandt, a single print of whose work has sold for fifty guineas. One of the scarce prints of this master is called the "Coach Landscape;" and a printseller was induced, from its known rarity, to give twelve guineas for one to an artist and dealer; but, afterwards entertaining doubts of its originality, he shewed it to a better judge, who pronounced it to be a copy, and advised him to compare it with two undoubted originals in the British Museum. But, upon application for that purpose, neither could be found; this produced a search, that discovered an amazing deficiency in the works of other artists, and from subsequent inquiry it has been found, that one printseller has purchased to the amount of 200l. another 60l. and so in a greater or less proportion. So ready a market did these rare articles find, that the cheap collector could not find time sufficient to procure and dispose of them too, but was necessitated to

employ an agent, whose brokerage, it is supposed, must have amounted, to a considerable sum.

The most valuable print recovered is the portrait of "The Burgo-Master Six," supposed to be worth 40l. But the "Hundred Guilder" print, and many others of extreme rarity and value, are among those missing. It is said that a unique set of proofs, the works of Karil Du Jardin, consisting of 50 prints, have likewise been purloined.

The collection from whence the above has been taken, was left to the British Museum by the late Rev. Dr. Cracherode a few years since, and was estimated to be worth 20,000l. An Act of Parliament was made to enable the trustees to receive the same without payment of the legacy duty.

The delinquent fled from the hands of justice, but much valuable property has been discovered.

PATRICK M'DONALD,

Convicted at the Old Bailey, of Stealing.

(A Very affecting Case.)

IN countries where a trifling domestic theft or breach of trust is punished with death, is not the disproportioned punishment dangerous to society? Is it not even an encouragement to larceny? If in this case a master prosecutes his servant, and the unhappy wretch suffer death, the whole neighbourhood holds the master in abhorrence: they perceive that the law is contrary to nature, and consequently that it is a bad law.

What is the result?—Masters, to avoid opprobrium, content themselves with discharging the thief, who afterwards steals from another, and gradually becomes familiar with dishonesty. The punishment being the same for a small theft as for a greater, he will naturally steal as much as he can,

and at last will not scruple to turn assassin to prevent detection.

If, on the contrary, the punishment be proportioned to the crime, if those who are guilty of a breach of trust be condemned to labour for the public, the master will not hesitate to bring the offender to justice, and the crime will be less frequent; so true it is, that rigorous laws are often productive of crimes. *Beccaria.*

The miserable subject of the present case appeared at the bar an emaciated lad of about fourteen years of age:

> "Death like a lazy master stood aloof,
> "And left his work to the slow hands of famine."

Such a figure did this poor boy look when called upon to plead to an indictment, which might have speeded death. He was indicted for stealing a jacket, being almost naked, valued at fourteen shillings. The evidence against him was too clear.

Being asked what he had to say in his defence, he told an artless affecting tale; that he came from the United States of America, and was a cabin-boy in a merchant vessel from that country, which arrived six months before, but returned without him—that he found himself destitute, without a penny—and that cold and hunger alone had compelled him to steal clothes and food.

One of the jury asked him if he had eat any thing that day, to which he answered, "No, Sir, nor a bit the day before: he then burst into tears, which produced such an effect that the sheriff brought him some silver, and the jury, before they gave their verdict, handed him each a shilling. They then asked whether such misery and hunger could possibly plead his excuse in a Court of justice. The learned judge sympathized very pathetically with the jury, but was bound, he said, to inform them that no distress whatever could, in the eye of the law, excuse the prisoner's offence. The jury, bound by their oaths to do strict justice between their country and the prisoner, reluctantly found him Guilty.

The judge then ordered that the boy should be taken ca of, until an opportunity offered to find him a proper maste and observing that he would then procure his pardon.

While this child of poverty and wretchedness was with-drawing, shillings from all parts of the Court and gallery were thrown to him, which amounted to a sum sufficient to clothe and nourish him.

Ye Bishops, and other component parts of COURTS SPIRITUAL, "go and do likewise."

JAMES MARLBOROUGH, and SARAH, his wife,

Imprisoned for cruelty to their child.

THIS is a case at which human nature revolts with exe cration on the wretch, who could with cruelty treat a infant.

Now Matrons, are ye doom'd to find,
A tale that racks the firmest mind;
Th' excess of tyranny refin'd.

At the sessions held at Hick's Hall, for the county Middlesex, on Friday the 8th of December 1809, Jam Marlborough, and Sarah, his wife, were charged with mo inhuman and cruel treatment towards Mary Marlborough the infant child of James Marlborough, by a former wife.

The defendant, James Marlborough, had two children b his first wife; Sarah was his second wife. From the mome of her marriage she practised every species of barbarity t wards both of them, especially towards the little girl, who daily and nightly shrieks and piteous cries not only annoye but alarmed all the neighbours within hearing.

On the 9th of October last, the child was heard m piteously to weep in the front cellar, a place known by t neighbours to be of the most filthy and hideous descripti

and where the defendants kept a pig. About twelve o'clock at night, some forced their way into the house, and insisted upon seeing both the children. They, however, searched it, but could not find any thing there but gloomy darkness, dampness, and a pig. They then proceeded up stairs, and in the back parlour found the child lying under the bed, both her eyes beaten black, and bruised from her head to her feet, a shocking spectacle, and almost starved, exhibiting an appearance of cruelty and inhumanity never before witnessed, whereupon the children were taken to the parish officers, and have been in their hands ever since. The defendants were taken into custody, and the woman then acknowledged that she had used the child ill.

The little boy told a tale of woe that would have harrowed up the hardest heart. He fully established all the statement of the counsel for the prosecution. He said that his stepmother was in the frequent habit of plunging his little sister into a tub of cold water; that she used to beat her with sticks, with rods, with a toasting fork, and that the two black eyes which she had when found under the bed were given her on that day by her stepmother with a spoon.

Of such a woman as this the immortal Bard says,

> "————Now hell's bluest plagues
> Receive her quick, with all her crimes upon her:
> Let her sink spotted down; let the dark host,
> Make room, and point and hiss her as she goes;
> Let the most branded ghosts of all her sex
> Rejoice and cry, here comes a blacker fiend!"
>
> *Shakespeare's Troilus and Cressida.*

The jury, without a moment's hesitation, found both the risoners guilty.

It turned out, in the course of the enquiry, that James larlborough had beat his wife for her ill-treatment of his hildren.

The Court sentenced the woman to one year's imprisonent in the house of Correction, Coldbath-fields, and the an to 14 days in Newgate, a mild punishment for such rbarity, to the woman. As to the man, all we have to

observe is, that no proof was adduced against him of joinin with her in these acts of brutality; yet he merited som punishment, because he did not exercise the power the la gives the husband over the wife—absolute controul in cas of her wrong doing.

At the same sessions, THOMAS HERBERT was indicted fo a violent assault on Lieutenant Colonel Vigoreaux. Th prosecutor, who has lost a leg in the service of his country was riding on horseback to Cheswick, when he met the de fendant and two others in a gig, and the former committed most wanton assault, by horsewhipping him as he passed The prosecutor followed the defendant to the toll bar-gat at Hyde-Park Corner, and requested the gate to be shu against the defendant, when he got out and threatened t pull the prosecutor off his horse. The Colonel followed th defendant to Dowgate-hill, he having refused to give an other address than that he was Captain Herbert of the city At Dowgate-hill the defendant again threatened to pull th Colonel off his horse, and he assaulted him several time The counsel for the prisoner made no defence, and the de fendant was convicted. After a severe reprimand from th chairman, he was sentenced to pay a fine of 50l. and to b imprisoned three months; and R. Bias, a publican, w fined 20l. for assaulting a man in his tap-room.

FREDERICK SMITH, alias HENRY St. JOHN,

Convicted at the Old Bailey, and sentenced to Transportation for a curio kind of fraud.

THIS fellow was a plunderer of no mean rank in that tra of knavery, ycleped swindling; the gradations of which s have in numerous places of our Volumes, already expose Whether or not the prosecutor's credulity in the pres case is not more curious than the prisoner's knavery, leave our readers to determine.

Frederick Smith, alias Henry St. John, was indicted before the Lord Chief Baron, and Mr. Justice Lawrence, for stealing a 300*l.* bank-note privately, from the person of Thomas Bartlett. The prosecutor, who appeared to be a very weak man, stated, that he was a slopseller, and that the prisoner was introduced to him by one Benjamin Davis. The prisoner was represented as a captain in the army.

The prosecutor had parted with his wife, who had gone to Ramsgate, but wished very much to be reconciled to her. The prisoner told him, that his wife and two attornies were in a conspiracy to have him declared a lunatic, that they would get all his property, and lock him up in a mad-house for life. He, therefore, advised him to sell all his money out of the funds to save it from them. By his advice, on the 7th of July, he sold out 1000*l.* Consuls, and received 619*l.* as the purchase money.

The prisoner then told him, that he had a scheme in his head to reconcile him to his wife: that they should both go down to Ramsgate, and if she would not come to, they would then threaten to send her son to sea, as she was very fond of him.

They accordingly went to Ramsgate, but the prisoner pretended that he could never see the wife, and advised that they should go to Fulham, where the son lived. They accordingly posted to Fulham, and went to Mr. Newbott's, where the son was; but the prisoner told him that he was gone to Oxford. This was on the 10th of July. They then came up to town together, and the prisoner pressed the prosecutor to drink all the way, by which he became rather forward. He had the notes and all the 600*l.* in his pocket-book, in the coat-pocket.

They came up to London together, and went to a public-house in Soho, kept by one Kelly, where they had some tea; and when he took out his pocket-book to pay, all the notes were gone. He immediately told the prisoner that he must have picked his pocket, as no one else had been near him. The prisoner appeared much offended, and threatened to knock him down.

It was found by other evidence, that the prisoner afterwards paid the 300*l.* bank notes, to Haywood and Co. bankers, at Manchester, with whom he opened an account under the name of Henry St. John, and the clerk fully identified his person.

THE SWINDLER OUTWITTED BY A WOMAN.

AN elderly man, genteelly dressed, applied to Mrs. Rust, who owns three houses, elegantly furnished, in Hollis-street, Cavendish-square, London, to hire one of them, for which he agreed to pay nine hundred guineas for three years, and represented himself to be just come from the country, and hardly knew any person in London. He having much the appearance of a gentleman, Mrs. Rust let him the house upon his own representation. He told her he should take possession of the house, and should send in some of his servants.

This person, and a man and a woman servant, took possession of the house. The servants had not been in long, before Mrs. Rust inquired of them some particulars respecting their master, when, instead of their proving to be servants who had lived with him some time in the country, they did not even know his name, he having only hired them the day previous, in consequence of their advertising for places in a newspaper. This led Mrs. Rust to suspect that all was not right, in which she was shortly confirmed, by a number of persons of a very strange appearance, coming after him, and great quantities of various goods being brought in, which she could not learn had been paid for: she therefore determined to get rid of him.

Some brushes had been sent in from a tradesman she knew; she communicated her suspicions, and advised him to apply for his money; this he did. Mrs. Rust remained

at the parlour door while he made the application; and, on payment being promised in a day or two, she called out that he should either have his money or his goods back; and the cash not being forthcoming, the tradesman took his goods away with him. While Mrs. Rust was attending the settlement of this business, a man was admitted, and left a hamper of brandy in the hall; and a waggon-load of coals was just drawn up to the door. Mrs. Rust went to the men; and, assuring them their master would never be paid for the coals, they took them back. The coal-merchant sent information of this circumstance to the brandy and wine-merchant, and he sent and got his liquors back; and, by the assistance of Mrs Rust, all the tradesmen who sent in goods were found out, and got them all back, except six dozen of wine, a large basket full of candles, and a calf's head. Mrs. Rust told every one who came after the tenant her opinion: a party was appointed to dine, but Mrs. Rust drove them all away from the house as fast as they came; and the calf's head alone was dressed for his dinner and the servants.

The fellow proved to be Gilchrist, a notorious swindler, who has for several years past committed a number of depredations in ready-furnished houses. Mrs. Rust has, as it were, fairly drummed him out of her house.

WILLIAM COOPER AND WILLIAM DRAPER.

Convicted of cutting off trunks from a gentleman's carriage;—the former transported for seven years.—the latter imprisoned six months in the house of correction.

THIS daring method of plunder has long been practised, even in the streets of London. In this case it will be seen, that the robbery was effected through the carelessness of the servant, whose duty it was to protect his master's carriage.

At the Lent Assizes, 1810, at Chelmsford, in Essex William Cooper and William Draper, two soldiers of the barracks in that town, were indicted for a grand larceny, in stealing from the chariot of the Rev. Joseph Jefferson two trunks, containing a considerable quantity of wearing apparel, a gold ring, some books, and other articles of value, the property of Mr. Jefferson, and his servant, Joseph Sharpe.

It appeared, from the evidence adduced on the part of the prosecution, that the Rev. Mr. Jefferson left Chelmsford in his travelling chariot between seven and eight o'clock in the evening of the 22d of January last, intending to go to London. The property above-mentioned was contained in two trunks, strapped behind the carriage, the servant Joseph Sharp following his master on horseback at a short distance behind. Half-way between Chelmsford and Ingatestown, the servant met a tall man, going towards the former place, with a trunk on his shoulder, which, he remarked at the time, resembled very much one of his master's trunks. He did not, however, entertain any suspicion that his master had been robbed; but, on the arrival of the carriage at Ingatestone, he missed both the trunks from behind the chariot, and found that the straps which held them had been cut across. This occurrence he immediately communicated to his master, and mentioned also the circumstance of his having met a man upon the road with a trunk upon his shoulder. Mr. Jefferson immediately set a diligent inquiry on foot; and, after a considerable degree of difficulty, traced the robbery to the two prisoners, who were private soldiers, and stationed in the New Barracks, at Chelmsford, in whose room some part of the property was found, and the remainder concealed in a ditch.

The further identity of the robbery with the prisoners was ascertained from the evidence of a young woman, named Jane Evans, who cohabited with Draper, and she proved that both the prisoners came to the hut in the barracks where she lived, with a trunk, containing a quantity of shirts, and other wearing apparel, which afterwards proved to be the property of the prosecutor.

There was no evidence adduced to prove that Draper was one of those who actually committed the robbery, although it was clear he had participated in the booty.

The prisoners strenuously denied the charge, but were both found guilty.

Cooper was sentenced to seven years' transportation; but Draper, in consideration of his former good conduct, was ordered to be imprisoned for six months only, in the House of Correction.

THOMAS PUGH, AND ELIZABETH PUGH.

Convicted at the adjourned London sessions, the 30th of January, 1810, and sentenced to imprisonment, for a Conspiracy, in what is called "Child Dropping."

THE Chinese have been unjustly stigmatized with exposing infants to death. Modern travellers, and the best modern authorities, have rescued their character from the foul reproach. It is fervently to be wished that the crime was not so to our own doors. It is, however, unfortunately occurring every week in this great metropolis. We trust that the example made of these wretches will have some effect in operating as a terror to others who attempt the like atrocious deed.

This unfeeling, unnatural couple, father and daughter, were indicted for conspiring with other persons unknown, to defraud the overseers of the poor of the parish of St. Andrew, Holborn, by exposing there a child of tender years, and which must, of necessity, have become a burden on the funds of that parish.

W. Saulthorpe, a letter-carrier, proved his having found a child, not above two years old, at the door of the house of Mr. Moseley, in Castle-street, Holborn, past nine o'clock of the night of the 31st of August last, half way between

the step of the door and the curbstone. He took it up and kept it on his knee, till Mr. Moseley came out, who humanely took the child in.

Mr. Moseley stated, that after some ineffectual endeavours to get the child into the Foundling Hospital, he sent it to the workhouse. Ann Taylor nursed the child from the 9th of October, 1807, till the 27th of August last, when Mrs. Pugh took her away; but afterwards, on the remonstrance of a Mrs. Dally, who suspected some injury was intended to the infant, was given in charge to another nurse of the name of Inglis, from whom, however, she was taken between seven and eight on the Thursday following.

A coachman proved carrying the two prisoners and the child (on the night the latter was exposed) to Castle-street, Holborn; and Elizabeth Feary swore, that Mrs. Pugh had told her, that, in the event of the death of the child, who had been entrusted to her care, she should have 300*l.* The father of the child was an officer, who had settled that sum on the child, and on her death the money was to come to Mrs. Pugh. This story she often repeated to the witness, intimating her wish for the death of the child. This alarmed the witness; and she, in consequence, warned the nurse to whom the child was entrusted.

J. Timbray proved T. Pugh's confession, that a letter appointing the meeting with E. Pugh, at St. Andrew's Church, Holborn, on the 31st of August, was in his handwriting.

A long defence was read by T. Pugh, who was 84 years of age, and father to E. Pugh, on whom he threw the whole blame.

Mr. Gurney, counsel for Elizabeth Pugh, contended that the whole circumstances of the case proved that his client had no intention to put the child out of the way.—She had paid 10*l.* to the other defendant, T. Pugh, who had undertaken to get it provided for where there would be no probability of its mother being inquired after, and in this he had deceived her.

The Recorder made a suitable charge to the jury, who immediately found both the prisoners guilty.

The Recorder then pronounced the sentence of the Court to be, that each of the defendants be imprisoned in Giltspur-street Compter for six calendar months.

REBECCA LEE,

(A Cruel Mistress to her Servant Maid.)

Fined at the Westminster sessions, April the 5th, 1810, for an Assault.

SOON as many an innocent buxom lass in the country, through strict frugality, has saved a few pounds out of her scanty wages, she sighs to visit dear *Lunnan*, where she has been told, many a time for truth, "that the streets are paved with gold, and the houses studded with diamonds." Let such take heed from the fate of Ann Hayman; a case, cruel as it was, not near so hard, by many degrees, as some which we could adduce; let them further beware lest they fall into the hands of old bawds, who are constantly prowling about seeking the misery of country girls, by seducing them into the houses of infamy; where,

"Ruin ensues, remorse, and endless shame;
"And one false step for ever damns her fame."

Rebecca Lee was indicted for assaulting and otherwise ill-treating Ann Hayman. It appeared that the prosecutrix, who was a native of the county of Devon, had been hired there and brought to town by the defendant, as her servant. That after she had been some time in her service, she used her extremely ill, constantly beating her, and treating her with great severity; that on the 9th of June last, she beat her, cut her face, and turned her out of doors, giving her only a seven shilling-piece and a loaf, to take her down to Exeter; that being turned into the street, the neighbours interfered, and she was prevailed upon to take her into the house again; but the very next day she repeated the same cruelties to her, beat her, bit her cheek, and cut her face

most desperately, and then turned her out of doors. All these facts were proved by several witnesses.

The case being gone through on the part of the prosecution by Mr. Gurney, that on the part of the defendant was undertaken by Mr. Alley, who addressed the jury at considerable length: but, without retiring, they found her guilty; and the Court, after expressing their abhorrence of such conduct, sentenced her to pay a fine of 40*l.*

WILLIAM MOULDS,

(A Deserter from the 52d Regiment.)

Executed at the New Prison, in Horsemonger-Lane, Surrey, the 16th of August, 1810, for Murder.

THIS was another most cruel and treacherous crime—the assassination of a fellow-creature, at the very moment when the murderer had been proferred his assistance.

William Moulds was indicted for the wilful murder of William Turner, by shooting him on the King's highway, near Farnham, on the 18th of May, 1810. This was a most aggravated case. The prisoner was a soldier in the 52d regiment, from which he deserted from Winchester, accompanied by two females, of the names of Elizabeth Roper and Mary Fisher. As he was on the road, he declared to them that he must have some man's clothes, to prevent his being taken as a deserter, and he would shoot some one to get them. As they went along they were joined by the deceased; and, after some conversation about a bed, he told them they should have some straw in his brother's barn at Farnham. The deceased was walking a few yards before with Elizabeth Roper, when the prisoner fired at him with his musket, and the ball entered his back. He had, however, strength enough to run to Farnham, when he reached the house of a Mr. Bott, a surgeon; he lived two

days, and then expired. A party of soldiers were sent out in pursuit of the prisoner, and he was apprehended. The deceased saw him, and identified his person, before he died. After he had shot the deceased, one of the girls fainted, and he and the other, took her into an adjoining clover field. Here he declared he was sure that the ball must have entered the man's body, and he could not have run above twenty yards, and he wished he had gone back to have had his money and clothes.

The jury found no hesitation in finding him guilty; and soon as the verdict was pronounced, James Cooper, a culprit, was brought back to the same bar; and the judge immediately passed sentence of death upon them both. They were executed accordingly.

JAMES SWINEY, RICHARD PEACE, EDM. BRUCKLEY, PATRICK FLEMING, MAURICE BRENWICK, AND JOHN SULLIVAN,

IRISHMEN,

Convicted of Wilful Murder, and the first five executed the 18th of August, 1810.

THE quarrelsome, riotous, and indeed, blood-thirsty dispositions of the lower order of Irishmen, when intoxicated with gin or whiskey, has long called out for exemplary punishment. Some of the streets of St. Giles, London, almost weekly exhibit a nocturnal row among their Hibernian inhabitants. The brutal temper is most prevalent among them, strange as it may appear, when out of their native Island. One would imagine that men, emigrating from their own country in search of better employ, in another would be meek and humble; and make it a primary object to conciliate the good opinion of the people who allotted them an asylum. The very reverse, however, is the case. Opiniated to a degree of disgust, the common failing of the

most ignorant; they arrogate to themselves a su
over the common ability of whatever country th
A recent transatlantic traveller says, the jailer of t
delphia prison told him that one third of his inm
generally the lowest Irish, and that one third of tha
were committed to his keeping for fighting and riot

A short time previous to the horrid murder whi
about to relate, and not far from the neighbourhoo
it was perpetrated, the vicinity of Stepney, Mile E
Bow, was disturbed by the marching in of four di
Hibernians, to the number of 400 or upwards, and
the avowed purpose of the liberation, from the watch
of the rioters confined there. As the civil officers
by any means competent to meet them with resista
aid of the military was called in, and a guard sta
each of the watch-houses, at Mile End, Stepn
Whitechapel, thereby to prevent the mischief inten

The original was a silly dispute between some
from Poplar, and butcher lads from Whitechapel;
small contest the Hibernians had the worst of it, an
fore withdrew to collect the reinforcements to reve
case.

About the same time, in Puckridge-street, St.
some Irishmen fastened a quarrel upon two or three
labourers; and they making resistance, a dread
ensued. Constables were called; but the Irish
neighbourhood soon collected together armed wi
geons, or as they call them *shillalas*, and knocke
without respect to rank, every person who might
tently be in their way. Several peace officers, in
these brutal attacks, were dreadfully wounded, a
sent to the hospitals with broken limbs and fracture
The constables, however, having charged some
posed subjects to assist them, rallied their forces, and
several of the ringleaders of this outrage. Two
ruffians, named Calvery and Dwyer, were found
the Middlesex sessions in December 1809, and sent
three months' imprisonment in the House of Correc
punishment many will, we think, consider very me

so flagrant a breach of the peace; and more especially as, had murder been committed, they might have met the same fate as those whose case we are about to record.

On the 5th of October 1811, at Guildhall, London, an Irish labourer was charged before Sir Richard Carr Glynn, the sitting Alderman, by the mistress of a publichouse, with having, with others, conducted himself in a riotous and disorderly way, by breaking her windows, &c.

The constables stated to the Alderman, that the prisoner, with many others of his companions, had made it a practice to meet regularly on a Sunday evening in different parts of the city to fight; that upon notice being given, the Lord Mayor's officers had attended in Smithfield and Moorfields, where these men used to meet by challenge from Wapping and St. Giles's: that the prisoner was one of the party, who told him if he was at Whitechapel he would soon be rescued. The prisoner, in his defence, seemed very humble, and pleaded that he was a labourer in the West India Docks, lived at Poplar, had a wife and two children, said he was never there before, and was willing to pay any damage he had done, promising never to be there again, when the Alderman discharged him.

Another more recent riot took place at Poplar, on the 26th of August 1810, among the Irish in that neighbourhood, who then quarrelled among each other. Two of them, Benjamin Clifford, and Patrick Doyle, stripped to fight. It was now near eleven o'clock at night, when a watchman endeavoured to part them, and censured Clifford for breaking the peace, who being a constable ought to maintain the laws. Doyle desisted, and Clifford was going towards home, when the former suddenly ran after him, calling out, "Stop thief," and alledging that he had been ill used, and would have satisfaction. The fight between them was resumed, and the watchman again endeavoured to separate them. Doyle staggered and fell, and Clifford ran off. A surgeon being sent for, found a wound in Doyle's left side inflicted, apparently, by a knife, and which had penetrated to the heart.

Clifford was tried for the murder, at the Old Bailey, the

18th September following; but it appeared to the Court that there had been the whole day great dissension and riot among the Irish at Poplar, it could not be ascertained who inflicted the wound. He was therefore acquitted; and though great mischief was done, yet none of the rioters could be fixed upon, so as to be overtaken by the arm of the law.

At the Assizes for Essex held at Chelmsford, on Tuesday the 16th of August 1810, James Swiney, Richard Peace, Edmund Bruckley, Patrick Fleming, Maurice Brennick, and John Sullivan, were indicted for the wilful murder of John Bolding, at the parish of West-Ham, on the 20th day of May last.

Mr. Bonsanquet opened the indictment; and Mr. Pooler, as leading counsel, stated the facts to the jury in an able and well arranged speech. The circumstances, he said, which he had to lay before them was of a nature the most atrocious and brutal that had for a long space of time been the subject of enquiry in a Court of justice; but before he entered into a detail of the facts of the case, under the correction of His Lordship, he would presume to state what was the law as applicable to those facts. The evidence would not go to shew that the deceased came to his death by the actual hand of any of the prisoners at the bar. But the law was, that if any number of men associated for a common purpose, and acted in union, the act of one was the act of the whole of them. Thus, if the jury should be of opinion that the prisoners at the bar acted in concert with the person who actually killed the deceased, they were as much guilty of the murder as though they had struck the fatal blow. He then proceeded to detail the transaction as follows:—The deceased was landlord of the Eagle and Child public-house at Forest-gate, in the parish of West-Ham; and on the evening of Sunday, the 20th day of May, a dispute took place in the kitchen between a man of the name of Morisey, an Irishman, and one Thomas, a carter. There was present another Irishman, of the name of Scandling, and an officer's servant of the Cornish militia. There were challenges to fight, and some time Morisey wanted to go

away. The deceased suspecting he wanted to fetch some of his companions, at first would not let him go, but afterwards he went; the landlord then ordered the door to be fastened. In about half an hour Morissy returned; but in the mean time the deceased had sent the carter away. Morissy knocked to be let in, but was refused; Scandling, however, opened the door against the landlord's will, and Morissy came back in a great passion, pulled off his clothes, and swore he would fight any body. In a short time afterwards a large body of Irish labourers, above thirty, came to the house, armed with bludgeons, potatoe-hoes, &c. There could be no doubt, he observed, but that when Morissy left the house he went for the purpose of getting this assistance; and there was as little doubt but that Scandling was privy to the purpose for which he went out. Bolding, the deceased, however, had shut up his house, and refused them admittance; but Scandling a second time got to the door, and opened it, at the same time exclaimed, "Now, boys, go it!" They accordingly all rushed into the house, the six prisoners among others, and in the most tumultuous manner demanded the carter, who had given the supposed affront. They searched the house, but not finding the object of their intended rage, one of them, whom he should not be able to identify, jumped over the bar, where Bolding was sitting, and who had given them no just cause of offence, and immediately with a bludgeon attacked him. His skull was badly wounded, his arms broken, his body much bruised; and, after languishing about seven days, he died of his wounds. He should prove that the six prisoners were among the persons who thus rushed into the house, and after they had thus maltreated the deceased, Scandling demanded gin, which he served out to others. It would also be proved in evidence, that Swiney, one of the prisoners, looking over the bar, observed, as the beating was going on, that "the old fellow was catching it now;" and another, whom the witness believed to be Bruckley, though he was not certain, exclaimed, "the English——was done at last." The learned counsel having commented at some length on this violent outrage, said, he thought, if it were proved in evidence, he

was well warranted in saying it was one of the most brutal transactions that had disgraced modern times.

Sarah Camber, the first witness, deposed, that she lived housekeeper with Bolding. In May last, about half-past nine in the evening of Monday, the 20th, there was a quarrel in the kitchen. There were present in the house John Farmer, J. Baker, Mrs. Baker, Mr. Simpson, Mary M'Leary the servant, William Tippett and George Gay, two soldiers, quartered in the house, one Thomas, a carter, Thomas Scandling, and Cornelius Hay; another Irishman, of the name of Morissy, was also present. In the dispute Scandling wanted to fight the carter, and Morissy offered to fight any body. At that time an officer's servant came in, and he accepted to fight Morissy. She begged them to desist, as it was Sunday night. Morissy then wanted to go away; but the deceased at first would not let him depart. He, however, went away, and Bolding ordered the doors to be shut and fastened. Soon afterwards Morissy returned, but was refused admittance. Soon after a person of the name of Daniel Mahoney, not in custody, came; and Scandling, against the direction of the deceased, opened the door and let him in. When he came into the house, he stormed and swore, and flourished a stick over his head. Shortly afterwards a gang of thirty of them came and demanded admittance; which being refused, they broke the windows and window shutters, and Scandling again got to the door and let them in. When they rushed into the house the carter and the officer's servant made their escape by the back door. Mahoney asked what was the affront? Some one exclaimed, "The English had insulted an Irishman." He said, "That is sufficient," and they all made a great clamour. Just then some one, whom she believed to be Mahoney, jumped into the bar and knocked the deceased down, and continued beating him for some time. The witness cried out; the man made a blow at her, and swore he would knock her down. She escaped into the parlour, and hid herself under the table. Soon afterwards she returned; and Bolding was sitting in his chair, bleeding very fast. Scandling was standing at the door and demanding gin,

which she was obliged to give him. She saw all the prisoners and others there; they were flourishing their sticks, and apparently rejoicing at what had happened. Patrick Fleming, one of the prisoners, stood flourishing a large stick over her head, and grinding his teeth. They exclaimed, "Who will affront an Irishman." After a time they all departed.

John Baker, John Farmer, and Mary Farmer, gave testimony to the same purport with the last witness, with the additional circumstances that they swore they would murder some one before they left the house. And by the evidence of Gay and Tiffin, the two soldiers quartered at the house, it appeared that the landlord, the moment the Irishmen entered, sent them to bed to be out of harm's way; but that the ruffians searched the whole house to find the one who had offended them, and Peace swore if they could not find him they would murder some one else in the house.

An old man of the name of Quand, who was in the house when they came, attempted to run away, but some of them followed him, knocked him down, beat out three of his teeth, and by kicking him dislocated his hip.

Mary M'Leary, the servant in the house, repeated the circumstances nearly in the manner of the first witness.

The prisoners being called upon, left their defence to their counsel, and called several witnesses, who attempted to prove they were not present; but they gave such evident proofs of falsity and prevarication, that the jury seemed to pay no attention to their testimony.

The learned judge then summed up the evidence with great minuteness, and stated the law from Lord Hale, that when a party associated for an unlawful purpose, either of beating a man or committing any trespass, and a murder was committed in furtherance of the joint design, that all who were present in law were guilty of that murder. He then remarked upon the evidence as applied to each, and observed, that acts or words of violence were proved upon all the prisoners, except Sullivan; and with respect to him, it was proved that he was present, armed with a bludgeon.

The jury found them all guilty, but recommended Sullivan to mercy, which the learned judge said he should attend to.

Lord Ellenborough, in passing sentence, observed—It was a most melancholy spectacle to see so many men, in the flower of youth and health, who from the turbulence of unruly passion, had forfeited their lives. It was a case of the most atrocious sort, and which he felt himself bound to leave to the severity of the law. If the laws were suffered to slumber where they had been so grossly violated, the country would justly have to dread that such sort of turbulent riot would end in the more formidable crime of rebellion, and we should perhaps be exposed to miseries which had been suffered by other countries, to which he would not now more distinctly allude. Whether, upon an attentive consideration of the evidence, he should be able to extract any thing favourable to any of them, he could not now say; but, with respect to Sullivan, he did not recollect any aggravating circumstances; he, if he recollected right, was merely present, aiding in the general riot. He feared with respect to all the others, there were facts and expressions proved which must exclude them from all hopes of favour.

They were all, except Sullivan, executed on the next Saturday.

They protested they were innocent, and they seemed to think that nobody could be guilty but the man who actually killed the deceased.

JOHN KING,

Convicted at the sittings after Michaelmas term, 1810, in the court of Westminster, of Perjury.

THE Attorney-General stated this to be an indictment against Mr. John King, charging him with wilful and corrupt perjury committed by him in an affidavit filed

the course of certain proceedings in the Court of Chancery, in this suit, against Mr. Charles Harrison. Mr. Harrison has obtained judgment against Mr. King for 1565*l.* in the Court of King's Bench, on which Mr. King filed a Bill in Chancery, to restrain Mr. Harrison from any further proceedings at law; after a certain time, Mr. Harrison having failed to give in an answer to the Bill, Mr. King obtaining an injunction on the 6th of April, which he served on Harrison on the 9th, being desirous of locking up Harrison, who it was not convenient for him should be abroad with judgment against him (Mr. K.) to the amount of 1500*l.*; and being aware that the only way in which he could accomplish this object was by swearing that the writ of *fi. fa.* was not issued till after the intimation of the Lord Chancellor's order of injunction or restraint from execution, &c. he, on the 18th of the same month, filed an affidavit, not to the best of his knowledge and belief, but to the absolute fact, consistent with his own knowledge, that the writ of *fi. fa.* in the case alluded to, had been sent out after the 9th of April, the date of the notice of the order, although, in fact, the writ had issued on the 4th of that month, before any application had been made to the Lord Chancellor.

In support of this case there were produced the order of the Lord Chancellor for the injunction, dated the 6th of April, the copy of service of that order on the 9th of April; the affidavit of the defendant in the terms charged in the indictment; and, in contradiction thereto, an examined copy of the writ of *fi. fa.* with an indorsement bearing it, to have been issued on the 4th of April.

Charles Harrison, the prosecutor, in the indictment, also swore to his having indorsed it on the 4th of April, on which day he also sent it to the sheriff's office by George Smithson.

Cross-examined by the Common Serjeant, the witness stated that he wished the execution to have been levied also on the 4th of April, if it could have been done; but it was not made till the 11th, at which time the Injunction had issued, and had not been dissolved.

G. Smithson said, the writ of *fi. fa.* was put into his hands by Harrison, on the 4th of April, to give an officer to get executed. He had great difficulty, however, in finding an officer who would execute it. He did not leave the writ at the office, but carried it away with him, and returned it to Mr. Harrison's clerk.

Cross-examined by Mr. Alley, admitting the writ of *fi. fa.* was not left at the sheriff's office, of course Mr. King could have no information concerning it if he had applied there. He knew from Harrison that he had not given it into the office till the 11th of April; therefore it was impossible for any human being to know till then that the writ had issued.

Re-examined by the Attorney-General, the witness said the date of the 4th of April, as being the date of issuing the writ, would also appear on the back of the warrant, so that any person, curious of satisfying himself on that head, might learn the fact by consulting either the writ or the warrant.

Mr. Common Serjeant, for the defendant, contended that a material averment was wanting in the indictment, namely, that the defendant knew what he had sworn to be false. It was obvious from the evidence of the prosecutor (Harrison) himself, that he had committed a contempt against the authority of the Court of Chancery, in levying on the goods of the defendant, after it consisted with the knowledge of Harrison, that an injunction, restraining him from any farther proceedings, had been issued.—The defendant could not have been ignorant of this, and it was an outrage on common sense to suppose, that possessed of such knowledge, and having a well-founded ground of complaint against Harrison, for which he was liable to be committed for a contempt, the defendant should have selected the issuing out of the writ as the ground of his application, had he not relied on the information he had applied for and obtained, as to the period when that writ of *fi. fa.* was issued. A witness, Smithson, swore the date of the writ of *fi. fa.* was indorsed on the warrant. This he should prove to be false, from production of the warrant itself. He should shew

also, that on application to the officer, he stated the 11th to be the date of issuing the writ, a fact which he would now certify to the jury on oath. The defendant therefore, was *in bona fide* to swear what he had been informed, and could have no reason to doubt was the fact.

Mr. Cater, from the sheriff's office, produced the warrant, dated 11th of April, in which there was no mention by indorsement, or otherwise, of the date of the 4th of that month.

James Hemp, the officer, stated, that Mr. King had made application to him, both personally and by a boy, desiring to know the date of the writ of *fi. fa.* which he had stated, as he believed it to be, the 11th of April, there being seldom any time allowed to be over in the execution of such writs.

The Attorney-General was heard in reply.

Lord Ellenborough, after recapitulating the evidence, observed that the question for the consideration of the jury, was, if he had been deceived by this information; or if he had contrived the information to warrant the application he meant to make to Chancery, and to be in store for him afterwards. If the jury believed, that after all due and proper means information had been resorted to by the defendant, he had fallen into error, he was entitled to a verdict of acquittal. But if they were satisfied that he knew, or had means of knowing the fact, and wilfully shut his eyes against it, in that case he was criminally responsible, and was guilty of perjury.

The jury, after some hesitation, found the defendant Guilty.

CHARLES DON,

Committed at the Summer Assizes, 1810, at Chelmsford, and sentenced to death, for Horse Stealing.

CHARLES DON was indicted for stealing a cart horse, the property of James Goodeve Sparro, Esq. of Gosfield,

The horse in question had been seen about noon on the Sunday on which it was stolen, and was missed between four and five o'clock the morning following, when persons were sent in search of it. It was taken from the farm-yard of Mr. Sparrow. The prisoner arrived about half-past seven on the same morning at a public-house at a considerable distance from Mr. Sparrow's, mounted on the horse without a saddle, and nothing but a halter, when he called for some beer, said he was going to Cambridge, and offered afterwards to sell the horse, it being, as he alledged, too heavy for him. The landlord, having a suspicion, from his appearance, that the horse was stolen, said, he did not himself want to buy him, but would undertake to find a gentleman who would buy him. He went accordingly to General Elwes, a magistrate of the county, who resided close by him, told him his suspicions, and brought the General back with him to his house. General Elwes, being of the same opinion with the landlord, detained the prisoner; and, in the course of the day, those who went in pursuit of the horse, arrived, and identified him, and the prisoner was then fully committed for trial.

Upon being called upon for his defence, he said he had found the horse wandering on the road about seven miles from the public-house, that he had mounted him and rode to where he was stopped, that he had never offered to sell him, but on the contrary meant to go forward with him to the end of his journey.

Lord Ellenborough remarked on the inconsistency and dishonesty admitted by the defence, and left the facts to the jury, who immediately pronounced him Guilty Death.

MARY JONES AND ELIZABETH PAINE.

Transported for seven years, November Sessions, 1810, at the Old Bailey, for stealing Goods from a Shop.

THE treacherous species of theft, commonly called "shop lifting," has, of late years, expanded into provincial places

f trade. In London it has long been a favourite mode of lunder among abandoned females. In order to carry on eir depredations, a conspiracy is formed of two or more bandoned women, who, well dressed, go together into hops; and, while one bargains and pays for some small rticles, the others are secreting whatever they can lay their ands upon. Sometimes one of the gang will pretend to e with child, having stuffed cambricks, calicoes, and linen ext the lower part of her body; then she pretends sudden throes of labour, and, of course, is tenderly handed to a ackney coach hired for the purpose, by the duped shop-keeper, or given to the care of her pretended distressed associates. In general they are provided with long cloaks, large pockets, and wide petticoats; wherein they conceal their plunder.

Mary Jones and Elizabeth Paine stood indicted for privately stealing, on the 30th of October, 1809, twelve pair of stockings, the property of Robert Kenyon, a hosier, on Holborn-hill. The value of the goods was 4l. 18s. It appeared, from the testimony of Robert Kenyon, that the women were in the shop on the 30th of October; they were cheapening flannel, and went away after buying some trifle. On their leaving the shop he missed the parcel of stockings, which were hung on a chair near where the women were; he found the invoice which he had tucked into the parcel. He instantly pursued the women, and found them at a shop-window in Holborn, looking at some paper, and tearing something by the light of the shop; he charged them with having his stockings; they denied it, and he proceeded to push them into the shop, when a gentleman gave him a parcel of stockings, which he said one of the women dropped. Paine immediately said to Jones—"How could you do such a thing?" Jones replied—"Oh! I don't care, they can't hurt us, for they have not found the goods upon us." He then brought them back to his shop, and sent for an officer, into whose custody he gave them.

A witness was called to the character of the prisoners, who said, that Jones had lodged in his house, and was, he believed, a soldier's wife, who had gone abroad; he be-

lieved her to be very honest, and had often trusted her. Paine was a neighbour, and very upright apparently in her conduct; her husband was a hackney-coachman, and was now lying on his death-bed.

Mr. Common Serjeant commented on the case, and told the jury, that if they had any idea that the prisoners were seen by the prosecutor in the act of stealing, they should declare so in their verdict; as, if the goods were not taken privately, the capital part of the charge would be got rid of. The act had been made particularly for the protection of shopkeepers, whose attention could not possibly be directed, amidst a multiplicity of business, to every individual, who might come to deal with them. Verdict—Guilty, but not of stealing privately.

The Common Serjeant then addressed the prisoners; and after a suitable admonition to them on the heinousness of their offence, and the subsequent aggravation of it, by their conduct, assured them that it was a great stretch of the jury's humanity that they were not capitally convicted. In order, as well to punish them, as to deter all others who might be pursuing the some courses, the Court sentenced them to "transportation for seven years."

On the sentence being passed, Jones, an interesting young woman, with an infant in her arms, dropped down in a swoon; and the other bitterly exclaimed against her prosecutor.*

---

* We find this vindictive disposition in a female prisoner carried to a very extraordinary length towards an injured prosecutor, in the case of Ann Harrison; who was lately convicted at Gloucester of picking the pocket of John Lewis, at Gloucester Fair, of his pocket-book, containing bank notes amounting to 50l. was sentenced to be transported for seven years. The conduct of this prisoner was almost without a parallel in the annals of atrocity. The decency of her appearance and demeanour had excited some interest in her behalf; indeed, during the whole of her trial she appeared greatly agitated, and almost overcome by her feelings; but no sooner was her fate determined, and sentence passed, than she threw off the mask. Just as the officers were about to remove her from the bar, and before they could possibly foresee her intention, she turned round to the witnesses' box, close adjoining to the prisoner's, from which the prosecutor had not retired, and with both her fists clenched, she struck the poor old man, Mr. Lewis, in the face, with such violence as to make him stagger

HENRY GRIFFIN,

Indicted at the Old Bailey, in the September Sessions, 1810, for the murder of his Wife, and found guilty of Man-slaughter.

"The stain of violation is upon thee,
"The ruddy spot fresh ardent on thy face;
"Thy cheeks are burning with the adulterer's mark,
"His print is on thy lips; thy melted eye
"Yet glows with languish'd lustre."

LANSDOWN.

THIS was a case where a wife was killed by her husband; and yet there was much in extenuation of the crime. What man can command his resentment at adultery in the woman once of his heart; and under this consideration the jury acquitted him of the capital part of the indictment, and found him guilty alone of the inferior crime of man-slaughter, a term in law applied, in this case, to both sexes; and which subjects the accused to the slightest punishment.

Henry Griffin was indicted for the wilful murder of Ann, his wife, by severing her wind-pipe with a razor, on the 4th of September, 1810.

The prisoner was a journeyman blacksmith, and resided in Onslow-street, Saffron-hill. The deceased was a woman of vicious habits, such as infidelity, drunkenness, &c. She had been from home a day and a night previous to the 4th; and the prisoner, accompanied by his brother and sister, met her in Bartholomew Fair on the evening of that day; and after treating her with gin, at her request, they all returned to the prisoner's lodgings, which they entered without a light; and in a few minutes after the prisoner's sister called out, "Murder." On some of the neighbours going into the room, they found the deceased with her throat cut; and by signs she made to their interrogatories, it

and occasion a considerable contusion under one eye. She was instantly removed; but broke out into the most violent exclamations against the whole Court, before she could be taken from the Hall.

was understood that her husband had murdered her. The prisoner was found near the house; and, on being questioned about the murder, he did not deny it, but added, that he hoped she was dead, as he did not mind being hung for her, and that he should die happy. He contended that she had brought men under his nose, and supplanted him in his bed, and threatened that her man should chastise him.

He was discharged on paying a small fine to the king.

HENRY CLARKE,

Convicted at the Old Bailey, the 20th of February, 1810, for robbing a Mail Coach, and sentenced to death.

HENRY CLARKE was charged with robbing the Bath mail coach of bank-notes, of the Wooten Basset bank, to the amount of 1825*l.* the property of Messrs. Large, bankers, at Wooten Basset.

It appeared from the statement of the counsel for the prosecution, Mr. Gurney, that a parcel containing the said notes, were sent from the banking-house of Messrs. Cobb and Co. in Lombard-street, to the coach-office of the Swan with two Necks, Lad-lane, on the 2d of January, 1810, directed to Mr. Large, at Bath, for the purpose of being sent by him to their house at Wooten Basset, but that the parcel never came to hand.

The people at the coach-office proved the booking of it there; but whether it was stolen at their office, or out of the coach in the yard, or where else, they could not say. It was proved, however, to have been lying on the counter in the office; and one of the witnesses went so far as to say that he was certain it was put into the coach.

Three of the notes of 10*l.* each were some time after traced to the prisoner, who was apprehended in consequence. His defence was, that he found them; but of this he gave no proof, and to rebut that it was proved, that in putting off

one of the bills, he put a fictitious name on it instead of his own.

"These facts being all proved, the jury without much hesitation found him Guilty—Death.

JOHN DAVISON, ESQ.

(A Captain in the Royal Marines.)

Convicted of feloniously stealing a piece of Muslin from a Shopkeeper at Taunton.

(An Extraordinary Case.)

AT the Assizes held on the 13th of November, 1810, for the county of Somerset, before Sir Soulden Laurence, Captain John Davison of the Royal Marines was indicted for stealing a piece of muslin, of the value of 30 shillings, the property of James Bunter, mercer, of Taunton.

Mr. Gazelee opened the indictment.

Mr. Jervis then stated the circumstance of the case to the jury, and observed, he had seldom, in the discharge of his professional duty, a more painful task to perform than to detail the evidence which he had to adduce, in order to substantiate the charge in the indictment, which charged the prisoner with the crime of felony; the facts were few, short, but cogent—and, he feared, irresistible; they would come better from the witnesses than from any statement of his—he would proceed to call them. The first witness was Alexander Baller, who said, I am an apprentice to Mr. James Bunter, of Taunton. I know Captain Davison; he came to my master's house on the 25th of July, at half past seven in the morning; there was no one in the shop but myself; he asked if Mr. Bunter was up? I told him he was, and on that he went away. Mr. Bunter came into the shop in about five minutes, and on seeing some one go by with whom he wished to speak, he walked out towards the

parade, and Captain Davison came in immediately after. I was cleaning the windows on the outside of the shop; on Captain Davison's again going into the shop, I followed him—He asked to look at the muslins he had seen the night before, and walked to the lower end of the shop to the counter on the right hand, and I carried to him ten or twelve pieces, as he was sitting on the counter—he took the first I shewed him in his hand, and very carelessly laid it by his side, and he did the same by some other pieces. After looking at them some time, he went towards the door; but, before that, he had thrown his handkerchief upon four or five of the pieces, which he had folded up. When at the door he asked me how the handkerchief he had on looked, and whether we had any of the same? I told him we had none of them. He asked me for a looking-glass? I told him we had none but what was fixed, but if he would walk into the parlour he might see there; to this he made no reply; he then sat down in a chair rather below where the muslin was, and asked to look at some stockings at about 5s. a pair, for his brother; before this, I had taken away the pieces of muslin that were not covered over; there was at this time a piece under his handkerchief, which I could plainly perceive. I took him out some stockings from the opposite side of the shop, but kept my eyes on him, and I observed him draw his handkerchief from the counter into his lap with both his hands—I observed the muslin was still under the handkerchief as he drew it towards him. He then asked for some fashionable waistcoat patterns; I went across to the other counter to get him some, my face was towards him, and I observed him take up the handkerchief and squeeze it together, and put it under the left lapel of his coat; he took the patterns of the waistcoats, as he said he wished to shew them first to Yandell, his taylor. At this time his arm was over his coat towards his lapel where he had put his handkerchief, and he walked out of the shop. Mr. Bunter came into the shop whilst Captain Davison was there, but stayed but two or three minutes. I missed the first piece of muslin I had shewed him immediately after his going out, it was marked with O | G S | R, the S had been

altered, it had been an I.—When I missed the muslin I rung the bell, and Mr. Bunter came; I described to him what had happened and the particular piece which was missing, and that Captain Davison was gone to Yandell's. Mr. Bunter left the shop to go to Yandell's through Hammet-street; I then went out and saw Captain Davison standing at Mr. Bluett's shop-door.—When I perceived Captain Davison was not gone to Yandell's, I called to Mr. Bunter aloud, and Davison walked by the Market-house towards his own lodgings. At the time I shewed Captain Davison the first piece I took notice of the mark.

Cross-examined by Mr. Sergeant Pell.—I had seen the piece of muslin lost the preceding evening.—Captain Davison had purchased a yard of ribbon the day before. On my calling to Mr. Bunter Captain Davison retired from Mr. Bluett's shop.

Charles Sutton, constable of Taunton.—I went, in company with another constable, to search the house of Mr. Owen; we first went into a bedchamber, and then into a drawing-room. Captain Davison was not there; when before the justice, he desired to sleep in his bed-room, at Owen's. In the chamber there was a trunk with Captain Davison's name on it, on a brass plate; we broke it open, and found in it a piece of muslin (produces it.)

Alexander Baller identified the piece of muslin to be the same lost, and that it was Bunter's property.

Mr. Bunter.—The marks on the muslin are my writing, the muslin is my property, and worth more than 30s. In ten minutes after the search, the muslin was brought to me, and I knew it.

Alexander Baller again called.—Said he had never sold that piece.—Here the evidence for the prosecution closed.

Colonel Mears, T. Woodford, Esq. Surgeon———Bryant, Esq. R. Morgan, Esq. Rev. Mr. Townsend, Rev. F. H. Clapp, H. C. Standart, Esq. and the Rev. D. Webber, all of whom are persons of the first respectability, and who had known the prisoner nearly two years, severally gave him an excellent character.

The judge then summed up the evidence, and told the

jury, however they might lament that a gentleman of the prisoner's condition in life, holding the rank of a Captain in the Royal Marines, and who had borne so high and honourable a character till the present time, should on the present occasion have forfeited that character, and have forgotten his situation; that it was their duty, if they were satisfied with the evidence they had heard, to find him guilty, however painful the discharge of that duty might be; that character, in cases where a fair doubt could be entertained, ought to have considerable weight with a jury; but on the contrary, where the facts were clear, and established by credible witnesses, however good the character of the prisoner might have been up to the time of committing the felony, it was no excuse for the commission of it. And unless they could say that the prisoner, at the time of drawing the handkerchief from the counter with both his hands, as the witness Baller stated, was ignorant that the muslin was contained in it—he did not know how to state to them a ground of doubt; the muslin, as they saw, was of considerable bulk, and not likely to be contained in a silk handkerchief, without its being perceived by the prisoner, and if they thought so, it was their duty to say that he was guilty.

The jury, after a few seconds' consideration, returned a verdict of Guilty.—Sentence—transportation.

MARY FORDHAM,

Tried at Hertford, the 18th March, 1811, for the wilful murder of her bastard child, found guilty of concealing its Birth, and sentenced to two years' Imprisonment.

MARY FORDHAM was indicted for the wilful murder of her bastard child, by giving it a blow on the head with a brick, of which it died on Saturday the 3d of September, 1810.

The circumstances of the case, in evidence, were as follows:—

Mary Chapman, a girl of 16, stated, that she lived fellow-servant with the prisoner, at a Mr. Wittingham's, at Stevenage, in the month of September last. She had no suspicion that the prisoner at the bar was with child; on the Friday night she slept with the prisoner, who complained all the night of a great pain in her bowels, and was so very restless, that she prevented the witness from getting any sleep.—The next night the witness went to sleep in another bed by herself; and when she got up in the morning she went into the prisoner's bed-room; she was lying in bed, and the floor near the bed-side was disfigured. The witness told her to get up and clean her room, which she did, and went about her work the whole of that day. In the course of the morning the witness acquainted her mistress with what had happened; they searched the garret together, in one of which there was a hole in the floor, about five feet deep, which they put rubbish into. Here they found a stocking of the prisoner's, which was bloody, and lifting up an old bee-hive, they discovered the body of a child lying under it; they did not take up or move the body, but sent for the apothecary.

Mrs. Whittingham deposed to the same effect with the last witness, as to the finding the body of a child in the hole. On cross-examination, she said, about a month before this time she recollected that the prisoner and herself had been both very much frightened by a man in a mask coming into the house. It was one of the labourers did it in a frolic, and the effect of such a fright upon a pregnant woman was very likely to produce a miscarriage.

Robert Jones, the apothecary, stated, that he was called in and saw the child, but he could not undertake to say whether it was born alive or not; it was a full grown child. Upon examining it there was found a contusion on the left side of the head, sufficient to have occasioned its death. He examined the prisoner, and from the state of her breasts he could say that she had been pregnant, but could not determine whether she had miscarried or not. About a

foot from the child a piece of brick was found (which was produced), it had marks of blood upon it, and corresponded with the wound on the child's head.

George Hickes, a surgeon, deposed, that he examined the wound; on opening the scalp, he found four contusions on the bone beneath. On cross-examination, he said the four contusions might have been occasioned by the child's fall on an irregular surface, such as the piece of brick produced; and if it had been thrown down the hole dead, it would have had the same appearance.

The learned judge summed up the evidence with great humanity, and left it for the jury to determine. The wound on the head might have been occasioned by the child's being thrown dead into the hole. If they were of that opinion, they would acquit the prisoner; but they would then say whether they found her guilty of concealing the birth of the child.

The jury acquitted her of the murder, but found her guilty of the concealment of the birth of the child; upon which she was sentenced to two years' imprisonment.

Extraordinary defeat of a desperate gang of Housebreakers.

ON the 24th March, 1811, the following gallant defence made by John Purcel, Esq. of Highfort, near Charleville, cannot fail of exciting a considerable degree of interest, particularly as Mr. Purcel is upwards of 70 years of age:—It appears that Mr. Purcel had determined to set apart the evening of the 24th March, for the purpose of arranging some of his accounts; and, as he foresaw that he would be hereby employed until a late hour, he caused his servant to provide supper. The room in which he had supped and slept was inside his parlour, the windows of which latter, after a short interval, were beat in; and scarcely an instant elapsed before he heard several persons, he believed twelve or thirteen, leap into the room in rapid succession; he had

but a moment to deliberate; and, although he found himself totally unprovided with any other weapon than the knife which he recollected lay on the table, he, with the most astonishing and unparalleled bravery, resolved on defence.

As there were two doors connecting his bed-chamber with his parlour, he was a while in suspense at which the robbers would enter; but was speedily relieved from his doubts, by hearing them remove a garde du vin, which obstructed one of the passages; and thereupon seeing the door thrown in by a violent blow of a sledge, Mr. P now put his back close against the wall, immediately contiguous to the door. Although the darkness of Mr. P's room rendered him invisible to those without; yet the moon shining brightly through the windows which had been broken, and through which the party entered, gave him an imperfect view of his assailants, and discovered two men abreast, and approaching him by the door. Mr. P, at this moment only hesitated to decide whether a back hand, or a right forward blow would be most powerful; and, on preferring the former, he plunged his knife far into the breast of the nearest man, who immediately fell back with a horrible scream, and expired. The captain of the party gave orders to fire, and a musket was thereupon presented at Mr. P. and actually lay against his belly; but, as from its oblique position Mr. P. saw it could not injure him, he pressed against the barrel in order to induce a belief that it should prove mortal, and permitted it to be fired. He then gave this ruffian also a terrible wound, when he retreated; a third fellow, undeterred by these examples, had the temerity to attempt an entrance, but met with a like repulse—the expulsion of the entire gang from the house it was imagined was, by this, effected, with the exception of one powerful strong villain, who, more successful than his comrades, forced his way into the bed-chamber, which the ruffian presently notified in the loudest and most exulting tone. During the whole of this most terrific proceeding, Mr. P. had not felt the influence of apprehension, until this, that when greatly fatigued, his destruction seemed inevitable; but yet, as a hopeless

effect, he determined on continued resistance—he closed
his assailant, and a very fierce struggle ensued—
finding that although he frequently stabbed the fellow in
side, he nevertheless persisted in repeating a demand
Mr. P's money, dreaded the point of his knife had been turn
and blunted; and such, on feeling it, he found to be
case—he was thus bereft of his only weapon; however,
the encounter he discovered a sword suspended to
opponent, which he now strove to gain, but during
exertion, the wretched man expired in his arms, and
Mr. P. found that his knife had not failed, until, guided
Providential interposition, it had miraculously and faithfu
secured his deliverance.

The remainder of the party were now contented
depart, carrying off the dead and wounded, and Mr. Purc
dreading the renewal of the attempt with increased numbe
prudently concealed himself between two heaps of culm
an adjoining yard, from whence he issued in the morni
compleatly coated with blood, and whatever else
clammy matter caused to adhere to his body and limbs.
seems a third fellow named Joy, who composed one of t
party, died in Newcastle, County Limerick, his wounds
having permitted him to escape further than that town.

EDWARD BEAZLEY,

A boy whipped in Newgate for destroying women's apparel with Aqua-fortis.

UNTIL severe examples were made of the actors in t
kind of "frolic and fun," females often found their clot
drop to tatters, and such as restricted themselves to me
muslin and chemise were frequently dreadfully burnt, ir
way invisible, and almost unaccountable. A set of urch
and chaps, neither men nor boys, by way of a "high game

procured aqua-fortis, vitriol, and other corrosive liquids, and filling therewith a syringe, or bottle, would sally forth to give the girls "*a squirt,*"

Of this mischievous description, we find Edward Beazley, who was convicted of this unpardonable offence at the Old Bailey, the 11th of March, 1811.

He was indicted for wilfully and maliciously injuring and destroying the apparel of Ann Parker, which she was wearing, by feloniously throwing upon the same a certain poisonous substance, called aqua-fortis, whereby the same was so injured as to be rendered useless and of no value.

He was also charged upon two other indictments for the like offence, on the prosecution of two other women.

It appeared that the prisoner, a little boy about 13 years old, took it into his head to sally into Fleet-street, on the night of Saturday, Feb. 16, and there threw the same upon the clothes of several of the Cyprians, who parade up and down there. He was caught, carried before the sitting magistrate at Guildhall, and fully committed on three several charges.

Three ladies appeared and proved the facts stated in the indictments, and exhibited their burnt garments, such as pelisses, gowns, and other articles, which were literally burnt to riddles.

He was found Guilty.

His master, Mr. Blades, and an eminent Chymist on Ludgate-hill, gave him a good character, for honesty; he never knew any thing wrong of him before; but he acknowledged that he had access to both vitriol and aqua-fortis.

The Court having a discretionary power under the Act of Parliament, instead of transporting him for seven years, only ordered him to be well whipped in the gaol, and returned to his friends.

MARY GREEN,

Convicted of putting off base Coin, and sentenced to six months imprisonment.

WE have yet to lay open another curious petty fraud frequently committed in London. Coiners of base money employ low people to go from shop to shop to put off their counterfeits; and in doing this every stratagem that can be devised is employed. One of these tricks is to ask change for a good dollar; and, in counting the shillings given for it, they secrete one or more of them, and substitude counterfeits. They then pretend that part of their change is bad, and the tradesman, unconscious of the deception, takes their base coin, and gives them good money in return. This the rogues, among each other, call "ringing the changes."

At the sessions for Middlesex, held the 5th of April, 1811, Mary Green, a decent looking girl, was found guilty of putting off two bad shillings to Mr. Harris, a linen-draper, in Pickett-street, Temple Bar.

She went into Mr. Harris's shop, and asked for small silver for a dollar; Mr. Harris gave it to her. She walked two or three yards up the shop; and, addressing herself to the shopman, told him that his master had given her two bad shillings. This Mr. Harris denied, and refused to take them. She then conducted herself most rudely; whereupon a constable was sent for. Before he arrived, she still persisted in her impudent behaviour, saying that she had no more money about her but the dollar. Lack, the officer, soon arrived, and searched her, and there was found concealed about her twelve shillings and four sixpences, all in good silver, besides the change of the dollar.

The jury, after a charge from Mr. Mainwaring, found her guilty.

As soon as the verdict was pronounced, the counsel for the prosecution then acquainted the Court, that as the

punishment was pointed out by the Act of Parliament, from which they could not deviate, therefore the prisoner's case could not be affected by the profligacy of her character. He thought it right to mention, that this was the second time she was brought into that Court, (first with her mother) for this kind of crime; that her father was at this moment transported; and her younger sister is now in confinement under the sentence of the Court for the very same kind of offence.

JOHN WHITMORE, alias OLD DASH,

Convicted at the Sessions of the Old Bailey, London, October, 1810, and sentenced to death, for a Rape, under a most specious deception.

THE summary punishment of a ravisher, by a conscientious Emperor of the Turks, in days of old, if now, perchance, inflicted, might more tend to check the inordinate, unlawful, lust of men, than all the public executions of such destroyers of the peace of females.

Our laws, and certainly wisely too, restrain us from taking redress at our own hands, except in case of self-defence: but where is the man, witnessing a brutal attack upon his wife or daughter, that would, by a jury of his fellow men, be convicted of a deadly crime, in searching the hearts blood of their ravisher upon the guilty spot of his atrocity?—

"Mahmond, sultan of Damascus, one night while he was going to bed, was addressed by a poor villager who complained that a young Turk of distinction had broken into his apartment, and forced him to abandon his wife and family to his abuses. The good sultan charged, that if the Turk returned, he should immediately give him notice of it. Three days after the poor man came again with the same complaint. Mahmond took a few attendants

with him, and being arrived at the complainant's, commanded the lights to be extinguished, and rushing in, cut the ravisher to pieces. He then ordered a light to see whom he had killed, and being satisfied, he fell on his knees, and returned God thanks; after which he eat heartily of the poor man's bread, and gave him a purse of gold. Being asked the reason of this extraordinary behaviour, he replied, I concluded this ravisher was one who might fairly himself intitled to my protection, and consequently might be no other than my son; therefore, lest the tenderness of nature should enervate the arm of justice, I resolved to give it scope in the dark. But when I saw that it was only an officer of my guards, I joyfully returned God thanks. Then I asked the injured man for food to satisfy my hunger, having had neither sleep nor sustenance from the moment I heard the accusation till I had thus punished the author of the wrong, and shewed myself worthy of my people's obedience."

Princes, nobles, men of overgrown fortune! read, mark, learn, and inwardly digest! The hut of the meanest peasant, by the laws of Britain, is sacred as your own gorgeous palaces and castles; and, should you dare to violate his female relative therein, each injured brother may prove a sultan Mahmond.

John Whitmore was capitally indicted for a rape on the person of Mary, the wife of Thomas Brown, on the 16th of October, 1810, on the Common between Hayes and West Bedford. The prisoner was a labourer in the powder-mills at Harlington Common; and the prosecutrix, who lives at Hayes, having one of her sons by a former husband living as servant with Mr. Potts, a farmer, at West Bedford, she had gone thither about 12 o'clock with some clean linen for her son. She stopped at a public-house in the neighbourhood whilst he changed his linen, and there saw the prisoner, who, after asking her several questions, told her she had come much the longest way about, on her way from Hayes, and offered to shew her a much shorter cut over the heath on her return. The prosecutrix thanked him, and accepted his offer. He accompanied her as if for that purpose,

decoyed from the road, out of her way, to an unfrequented part of the heath, amongst some bushes, under pretence of looking after a stray horse, and there brutally violated her person. The poor woman, who was 47 years old, as soon as she had the opportunity, ran away from him, over the heath, and again lost her way; but by accident she met a gentleman, who put her in the right road, and she reached her home about eight o'clock in the evening. She was afraid to tell her husband what had happened, and did not do it till the following Sunday.

The husband next day set out with the constable in search of the prisoner, from the description given by his wife, and on the Tuesday traced him to a public house at Twickenham, where he was known by the familiar appellation of Old Dobbs; and there, after a stout resistance, he was taken into custody. The facts were clearly established by the poor woman, who evinced through the whole of her evidence traits of modesty and chastity of mind that would have reflected honour upon any character.

When prisoner, by the questions he asked her in making his defence, attempted to impeach her as consenting to his brutal purpose, and thereby only aggravated his crime.

The Gothonian Serjeant summed up the evidence for the jury; who, after a minute's consideration, found the prisoner Guilty—Death.

The fate of this malefactor received [illegible] Thomas Hayes and Wm. [illegible] Brentwood, [illegible] between Hayes and Wm. [illegible] Brentwood, [illegible] after this violation, a man of the name of [illegible] Ratcliffe, suffered the sentence of the law in [illegible] for a similar crime. He was indicted for feloniously ravishing Sarah Roberts, at Plumstead, in this county.

The prosecutrix was a young girl of the age of little more than ten years, and she gave the following account of the transaction:

That she had been to her mother's at Bexley, and was returning home through a field in which the prisoner was at work with his team; the cart stood in her way, and she desired the prisoner to move it, which he did. She had gone on but a little way, when she was overtaken by the

prisoner. He asked her where she had been, which she told him. He next inquired whither she was going, which she also told him. He then began some rudeness, which she repelled, but he threw her into the ditch; and, stopping her mouth with one hand, he perpetrated his purpose.—She screamed and resisted as much as she could, and immediately as she got from him, she made her complaint to the constable as soon as she got home. The prisoner was apprehended about two hours afterwards in the same field.

The witness was confirmed in her statement by a woman lying in a neighbouring cottage, who heard her screams, and the constable who took the prisoner into custody. He found him in the field searching for his whip, which he had lost either before or at the time of the struggle.

The prisoner said the girl had been a consenting party to the act.

The jury found him guilty, and the learned judge pronounced sentence of death upon him.

RICHARD ARMITAGE, AND C. THOMAS,

(Clerks in the Bank of England),

Executed before Newgate, the 24th of June, 1811, for Forgery.

FORGERY, from the increasing number of instances the farther we proceed in our work, is manifestly a crime which increases with the certainty of punishment. Murderers, if ought of palliation can be offered for the frailty of human nature, may indulge a distant hope of the extension of the royal mercy. Forgery is now never pardoned, a determination on the part of the crown, laid down in the cases of the Perreaus and of Doctor Dodd, whom no interest could save from an ignominious death. Thus excluded from all hope of pardon, it is daily becoming more common; and

the alteration in the law, from the pillory and corporal punishment to death, has no terrifying influence. The ancient punishment for this crime we find thus minutely described in a London periodical publication for the year 1781:

"June 9th. This day, about noon, Japhet Crook, alias, St. Peter Stranger, was brought to the pillory at Charing Cross, according to his sentence for forgery. He stood an hour thereon; after which a chair was set on the pillory; and he being put therein, the hangman with a sort of pruning knife cut off both his ears, and immediately a surgeon clapt a styptic thereon. Then the executioner, with a pair of scissars, cut his left nostril twice before it was quite through, and afterwards cut through the right nostril at once. He bore all this with great patience; but when, in pursuance of his sentence, his right nostril was seared with a red hot iron, he was in such violent pain that his left nostril was let alone, and he went from the pillory bleeding. He was conveyed from thence to the King's Bench Prison, there to remain for life. He died in confinement about three years after."

The crime for which Armitage and Thomas so very justly suffered, was of the very worst description of forgery —a scandalous breach of public trust—a robbery upon the very corporation they were bound to protect from the nefarious attempts of others. Like Astlet, their former head of department, they long had practised impositions on the Bank of England, unsuspected; and in the mean time maintained the shew of integrity. Astlet was detected by Bish, the Lottery office keeper, wherein he performed a public service—Armitage and Thomas by Robert Roberts, the notorious swindler, to save the halter's noose being affixed round his own neck.

The circumstances which led to the detection more excited public interest than the frauds of Wash and Hunt, two members of the House of Commons,—more than Chinnery's flight or Davison's incarceration—for who can bring back to mind any public act of delinquency that more excited the astonishment of the individual, or alarmed the

mercantile interest of the country, than the result of this Robert's escape from that strong and dread prison, the House of Correction, Coldbath-fields.* Hence the history of the accomplice in this case becomes more interesting than any other particulars which can be brought forward respecting the sufferers.

Robert Roberts, no otherwise allied to Edward William Roberts, already named, than, as the French would say, *chevaliers d'industrie contemporain*, a term somewhat synonymous to our appellation of *contemporary arrant swindlers*; he was, we say, no otherwise of kin, but he soared to higher objects, as we shall have occasion to shew hereafter.

"Robert Roberts," says the London newspapers of the day, "who has made his escape from Coldbath-fields' prison, is one of the most expert swindlers of the present day. He must have made a large sum by personating Earl Percy, for it does not appear that he returned all the money he obtained by that fraudulent transaction; he also stands charged with committing forgeries to a large amount, and consequently has sufficient means to facilitate his escape out of the country, if unfortunately he should not be speedily arrested."

* An extraordinary escape was accomplished, in 1716, by a highwayman named Goodman, who had been apprehended with great exertion and difficulty, and brought to trial at the Old Bailey, where the jury pronounced him guilty; but, the instant the verdict was given, he sprang over the enclosure, and eluded every endeavour to arrest his progress. Such was the daring folly of this man, that he frequently appeared in public; and, presuming on his supposed security, actually went to Mackerel's Quaker coffee-house, in Bartlett's buildings, for the purpose of procuring the arrest of a carrier, to whom he had intrusted 50l. to be conveyed to his wife in the country, and who, supposing Goodman would be hanged, had converted it to his own use: there he met an attorney by appointment, and stationed four desperadoes at the door, armed with pistols, in order to repel any attempt at seizing him. The attorney, aware of his precaution, listened to the case of the carrier, and studiously avoided betraying him; but the instant Goodman departed, he declared who his client was, upon which several persons watched the wretch to his place of concealment, where they attacked him, and he them, with the utmost resolution; after a severe conflict, in which the assailants were compelled to bruise him dreadfully, he was secured; but, throwing himself down in the streets, they were at last compelled to bind and carry him in a cart to prison: he was hanged not long after.

Towards the latter end of August, 1810, Robert Roberts was apprehended on suspicion of being concerned in the many forgeries which for some time had been practised on the Bank of England and the commercial part of the metropolis. He was brought to one of the public offices, and from thence remanded to the house of correction in Coldbath-fields. In a few days, in company with another prisoner of the name of Harper, he effected his escape, and the public were surprised at seeing large printed sheets of paper, pasted on the walls of the city, announcing this extraordinary circumstance, and offering a large reward for their apprehension, but particularly for the discovery of Roberts, the other belonging merely to the gangs of smaller rogues.

Mean time strict enquiry was made into the manner of this singular escape. The prison was searched, and Aris the gaoler,* or Governor, as such fellows style themselves, and his sons acting as turnkeys, were brought before a Bench of Middlesex Magistrates, on the 31st August, 1810, on a charge of conniving thereat. Mr. Churchill in the chair.

Mr. Aris, senior, his four sons, and the whole of the servants of the prison, were closely examined. It appeared that the two prisoners Roberts and Harper were not supposed to know each other, and that the whole of the gates, leading from the confinement of Roberts, six in number, were found open in the morning, they having been made fast at locking-up time, on the preceding night. The

* This is the identical gaoler who persecuted a reputable tradesman in the Strand, for defamation of his character; and a JURY actually gave him large damages! This was not the heaviest punishment which awaited the convicted; as will be seen by the following obituary of the 24th of September, 1808.

DIED, 24th SEPTEMBER, 1808,

On Saturday morning, Mr. Dickie, late stationer in the Strand, who has been confined nearly five years in the Fleet Prison, in consequence of a verdict given against him for 700l. damages for uttering defamatory words against Mr. Aris, the Governor of Coldbath fields Prison. He has left a distressed widow and four children still to lament his unfortunate offence and unhappy death.

prisoners then made their escape over the wall, by ascending a new lodge in the prison, not then finished, and when at the top of the wall, they were supposed to have let themselves down by a rope, as a hook was found in the morning by Daniel Aris, the gaoler's son.

The most important witness was a youth of the name of Macar, or M'Gar, who stated some conversation which he had overheard betwixt Daniel Aris and Robert Roberts. This youth was an evidence against a party of burglars, and his testimony relative to this affair, with other circumstances of corroboration tending to implicate D. Aris with having been privy to the escape of the prisoners, induced the Magistrates to commit him to New Prison for trial, for aiding and abetting in such escape.

It turned out that Roberts had been indulged with walking in the garden of the prison, after he had been locked up in the evening, as usual, at the same time as the other prisoners. Neither of the watchmen could give any satisfactory account of the business.

The investigation closed with the suspending of Aris, the gaol-keeper, the committal of Daniel Aris, his son, for felony, and the dismissal of another of Aris's sons, who was a turnkey.

Mr. Newport, from New Prison, Clerkenwell, was appointed successor to Daniel Aris, at the Coldbath-fields Prison.

The youth who gave evidence against Daniel Aris was committed to Tothill-fields Bridewell, and to be kept private.

No clue had then been had of Roberts or Harper.—The evidence against Roberts, relative to the forgery upon the Bank, was quite conclusive, and a woman he cohabited with was admitted an evidence.

On a second examination of Mr. Aris, sen. he stated that he was ignorant of an opinion having prevailed in the prison, previous to the enquiry, that the two prisoners had been assisted in their escape. It however turned out, on the examination of Mr. Hassell, the prison clerk, that he had acquainted him that such an opinion did prevail, and

consequently Mr. Aris, sen. examined Daniel Aris, and the boy, M'Namara, on whose testimony D. Aris was committed. On one of the turnkeys finding all the gates open, M'Namara informed him of the conversation D. Aris had with Roberts on the preceding night, and the turnkey informed Mr. Hassell, the clerk, who communicated it to Aris, the Governor, and which led to the examination.

Mr. Mainwaring upbraided Aris, sen. at the time for such a shameful denial of a fact which he must have remembered; and the latter observed, he had never done an act in his life of which he was ashamed, when Mr. Kay, the Bank Solicitor, expressed his belief that Aris never did feel shame.

The conduct of Daniel Aris was highly indecorous before the Committee, and he was repremanded by Mr. Nares, the Magistrate. D. Aris is an amateur of boxing, of considerable note, as a setter-to, and he amused himself by biting his lip, and alternately boxing the palm of his hand with his fist. The offence for which he was committed is capital, and he was ordered to be ironed. Daniel Aris's salary, as principal turnkey in that part of the prison where Roberts was confined, was 1l. 16s. per week. There were only two of the Governor's sons, and a son-in-law, who married his daughter, employed in the prison.

On the 7th September, Daniel Aris was brought up to the public office in Marlborough-street, and underwent another examination before N. Conuant, Esq. Mr. Mellish, the Member for Middlesex, and some other Magistrates. The depositions of this intricate business were read over, and as they cannot fail to be of great public interest, we have given a faithful abstract.

Michael M'Namara, a youth about seventeen, who was a prisoner in that part where Robert Roberts was confined, stated, that after breakfast, on the 27th August, Roberts was walking in the garden with Daniel Aris, and also in the passage of the prison for some time. Aris offered to bet a bottle of wine that a bell would ring in the prison within a quarter of an hour, and Roberts took the bet. Winsell, one of the turnkeys, locked up on Monday, the 27th, after this

[redacted]

[redacted] between D. Aris and Roberts, and the with[redacted] awoke out of his sleep by talking in the passage [redacted] Roberts's cell. He had previously heard the followi[redacted] versation between D. Aris and Roberts. The forme[redacted] "Roberts!" calling him gently, and the other an[redacted] Aris then said, "Be sure to be awake at my h[redacted] Roberts replied, he would be careful of that, and con[redacted] "Be sure to come, for you know what risk I shall [redacted] you do not." D. Aris replied, "Never fear me, you [redacted] I always stick to what I say." Witness was awoke[redacted] time afterwards, and he heard D. Aris's voice again [redacted] passage; soon after which the clock struck one, wh[redacted] supposed to have been about the time of the escape. [redacted] the Turnkey finding the gates open in the morning, [redacted] served there would be a precious row; and witness i[redacted] ed him it was his young master who had left them [redacted] An investigation of what witness had said took place [redacted] Governor Aris, in the presence of the prisoner, an[redacted] latter said it was a d—d lie, and locked witness up [redacted] gallery for so challenging him.—D. Aris charged [redacted] with having been put up to the false accusation [redacted] Frenchman (meaning one of the prisoners). Governo[redacted] wished Roberts good night, when he was locked up[redacted] witness had never seen him at the cells at locking-u[redacted] before.

The prisoner did not put any question to witness.

Amos, who married one of Mr. Aris's daug[redacted] stated, that the Governor frequently went round to lo[redacted] with him, but he often omitted to do so. The witn[redacted] some conversation with D. Aris, relative to what M'N[redacted] had said, and he denied it with warmth. D. Aris ha[redacted] particular care of that part of the prison in which R[redacted] was locked up. The gates, through which the two p[redacted] ers escaped, must have been unlocked by one of them[redacted] with respect to the outer gate, a man of the name of [redacted] alone kept the key. D. Aris slept in the Governor's [redacted] and he had the means of taking the prisoners throug[redacted] house, if he thought proper. Daniel Aris used to w[redacted] the garden with Roberts, and he was a good deal with

Witness had told him he paid too great respect to Roberts, which was the observation of others, as he always staid a long while with him when he had occasion to carry any thing to him. There was no other prisoner permitted the indulgence of walking in the garden but Roberts, and the Governor knew of these favours.

Samuel Winsell, a turnkey under D. Aris, in that part of the prison where Roberts was confined, deposed, that he assisted in locking up on the evening of the 27th August, and that the Governor and D. Aris were present: and after Roberts had been shut in, the Governor tapped at the door, and wished him good night. Witness found all the gates of the passage open in the morning, and he questioned the youth, M'Namara, to tell if he knew who had been there, and he observed there would be a precious row. M'Namara informed Winsell that his young master, D. Aris, had been there, as he had heard him in the night. Witness gave information to Mr. Hassell, the clerk, and communicated with the boy, what M'Namara had informed him, which led to an examination before the Governor. In some conversation witness had with D. Aris, the latter said M'Namara had been brawling to his father.

Mr. Hassell, the prison clerk, stated, that Roberts was brought in custody to the prison on the 15th August, and he escaped on the 27th. Witness had been informed by Paull, one of the watchmen, that the swell (meaning Roberts) had asked him to sit up with him to pass away some tedious hours. He said that D. Aris had sat up with him; but witness cautioned the turnkey not to do so, whatever Daniel Aris might think proper to do. Governor Aris frequently conversed with Roberts, and he went out in his (Roberts's) chaise on the 18th August. Paull, the watchman, had stated to witness that it was not of much use to lock up the prisoners when the turnkeys were going backward and forward through the gates after such locking up. All the Aris's had keys, and there were two brothers of Daniel Aris on the books, Thomas and Charles, the latter of whom had 8shillings a week, but had done no duty in the prison for two years.

These were the only depositions at Marlborough-street office, but there were four other persons prisoners in Coldbath-fields, who gave evidence before the Committee, but their testimony went only in corroboration of the intimacy which subsisted between the Aris's and Roberts.

The Magistrate informed the prisoner, that his duty was to commit him for feloniously aiding and abetting in the escape of Roberts and Harper, and he directed a committ to be made out accordingly.

Mr. Harman, the prisoner's solicitor, suggested to the Magistrate, that, in order to shew the innocence of his client, Harper should be found; and the effectual way to do that would be to get a pardon from the Secretary of State's Office, and to that the prisoner's friends would offer a reward.

The magistrate declined any such interference.

Mr. Harman then questioned the propriety of committal for felony under all the circumstances of the case but if the magistrate so decreed it, he would submit to bail.

Mr. Connant observed, that there had been such carelessness in the conduct of Aris, the gaoler, and his sons, that no step had been taken by them to search after the prisoners as was their duty. His escape was a felony in a keeper and the law presumed on his innocence, by his subsequent conduct in endeavouring to trace the man.

The Magistrate gave Mr. Harman the choice of having his client tried in October Sessions, instead of the Session ensuing, when there would be time for seeking Harper but an early trial was requested.

The prisoner was committed for trial.

During these long examinations, and notwithstanding a large reward was offered for his apprehension, Roberts evaded the strict search of justice. It was known that he had carried off a considerable sum of money; his proportion of the success of the forgeries wherein he was implicated and for which the unfortunate subjects of this case, did suffered. At length he was identified at a tavern on the Surry side of Westminster-bridge, where he had taken a

his lodgings as a private country gentleman, detained in town on his own concerns.

The remaining part of this singular case is short. Roberts, to save his own life, impeached Armitage and Thomas, two clerks filling places of great trust in the Bank of England, as the immediate agents of the many forgeries which had been of late committed on that Corporation; and he was admitted evidence against them on the part of the Crown.

Richard Armitage was first apprehended. He was brought to the public office in Marlborough street, on the 8th April, 1819, and after a short examination, was committed to the New Prison for trial, at the next Old Bailey Session. Among the witnesses bound over to give evidence against him was, Mrs. Roberts, the mistress of his base accuser. His forgeries of dividend warrants were to the amount of 2,490l.

On the 2d of May following, C. Thomas was apprehended and brought to the same office on a charge of having forged several dividend warrants; and, after three separate examinations, was also committed for trial.

The prisoner was a Bank clerk in the Imperial Annuity office, and the warrants forged were to obtain the dividends of a person who had been dead about three years, and whose executors had not applied for his property. It appeared that 360l. had been paid out of the Bank, and the prisoner's name was signed as an attesting witness. It was also proved, that Bank notes, with which the dividends were paid, were found in the prisoner's possession. Under these circumstances the prisoner was fully committed for trial. This is one of the cases disclosed by Roberts.

Armitage was fully committed, and Roberts and his wife were the principal witnesses against them.

The trials of these unfortunate men were unattended by any other circumstance worth noticing farther, than independant of the evidence of Roberts and wife, which, unsupported, would have received little credit, full proof was adduced of their guilt;—they were consequently found guilty, and received sentence of death.

JOURNEYMEN BOOT-MAKERS.

On the 24th of June 1811, Richard Armitage and C. Thomas, late clerks in the Bank, were executed in the Old Bailey, pursuant to their sentence, for repeated forgeries on that Corporation. The former, from severe illness, was under the necessity of being supported by a friend while ascending, and during his continuance on the scaffold. He was attended by a clergyman, to whose pious admonitions he appeared to pay becoming attention. The latter, who was a Catholic, was attended by a Priest of that persuasion and conducted himself with apparent fortitude.

COMBINATION OF JOURNEYMEN BOOT-MAKERS.

(A Lesson to Journeymen of every trade.)

ON the 17th of August, 1811, John Stanley, Thomas Jeffry, W. Brame, and William Brant, Journeymen Boot and Shoemakers, were brought before the Aldermen, Messrs. Scholey and Magney, on an information, charging them with forming a conspiracy, with 96 others, to obtain, contrary to the Statute, an increase of wages from their master Mr. Hale, Boot-maker, Fleet-street.

Mr. Alley, as counsel for the prosecution, stated, that the defendants, under an improper and delusive sense of the law, had illegally held a meeting for the purpose of compelling Mr. Hale to allow them the same prices for work that Mr. Hoby, and other masters at the west end of the town, gave. Mr. Hale had, from motives of humanity, selected a few persons for punishment, rather than the whole of those who had left his employment, and a hope was entertained that his lenity would have had the effect of inducing them all to return to their work, in which case the prosecution would not be followed up; but if, on the contrary, they should persist in their refusal to work, justice would take place.

Mr. Hale being examined, deposed, that he was informed

lle in the country, that his men had struck for increase of prices, and that they had held a meeting for that purpose. In consequence of their conduct he attended their meeting, and he was informed by two they had delegated, the prices they required were contained in a book. The latter contended they were entuled to the price given by Mr. Hoby for boots, jockey-boots, and shoes, which differed from that given by the prosecutor. He refused, on pretence that he gave the same price that others did in the city; and, finding them to persist in their refusal to work for him, he requested a final answer by letter, as he was unwilling to resort to force precipitately. The meeting did not send him any notice, and he applied to a magistrate, in consequence of which the defendants were taken by warrants.

The brother of the last witness confirmed the preceding statement.

Mr. Spankey, for the defendants, contended, that they had not offended against the statute by merely entering into the terms of a shop association to obtain one of two rates of wages, payable and allowed in the trade.

The magistrates, sitting in their double capacity, as judges and jurors, found the defendants guilty, and sentenced them to two months' imprisonment in Newgate, where they were to be allowed, by special order, to work at shoe-making for the support of their wives and families.

Watts and Badger also appeared on the same charge; but the former, by pleading guilty, escaped prosecution; and the latter was acquitted, as it did not appear that he had attended the meeting of the other conspirators. The wives and children of the defendants were present.

The decision is of great importance to journeymen, as it decides a question on which they have hitherto entertained many erroneous opinions. The defendants in this case had the power of appealing to the Court of Sessions, but they declined doing so previous to the decision of the Aldermen. The magistrates had power, by the Penal act, to commit the defendants for three months to the House of Correction.

ELIZABETH KING,

Sentenced to death at the Old Bailey, for privately stealing a Bag

ON the 21st of September, 1811, Elizabeth King, with Elizabeth Blott, and one Philadelphia Walton put to the bar, charged with a robbery in a dwelling

Mr. Barry, for the prosecution, stated the followin to the jury:—The prosecutor, Mr. William Comb publican, and lives at the King's Head public-house, street, Blackfriars.

On Saturday the 6th of June, about eight o'clock evening, the three prisoners came to his house, and into a back parlour, ordered some ale, which they when one of them, Elizabeth Blott, begged to sit bar, as she waited to see Mr. Lloyd, whom she exp Mr. Combe accordingly permitted her, and the thre soners went into the bar together. In a short time Ble Walton went to look for Mr. Lloyd, leaving the pr King in the bar, from which Mr. Coombe was freq called, so that she was several times alone there the other two with Mr. Lloyd returned, they all sat d short time together, and all departed.

At twelve o'clock at night, When Mr. Coombe was to bed, he discovered that a canvas bag, containing bag and 36 guineas in gold, which lay in his coat p that hung across the back of a chair in his bar, ha carried off. Dickons, an officer of Bow-street, rec information of the robbery, and through the exertion Mr. Reading, a publican, in the neighbourhood of G inn-lane, and Elizabeth Blott, one of the prisoner prisoner, Elizabeth King, was apprehended, when sh mediately confessed that she only had committed robbery. She stated that she had exchanged the g for Bank-notes, that she spent six of them, and that sh deposited the notes, &c. in the hands of Mr. Slyfs publican, in Brooke's-market.

The counsel for the prosecution stated, that the Bank notes and three guineas, as mentioned, were delivered up by Mr. Slyford; and he added that, in justice and humanity to the prisoners, Walton and Blott should not have been included in the indictment, and if he had been consulted before the bill had been preferred, he would not permit them to have been put upon their trials.

The facts, as stated, were proved, and Elizabeth King was found Guilty.—Death.

ARTHUR BAILEY,

Executed at Ilchester, the 11th of September, 1811, for robbing the Post Office at Bath.

THIS unfortunate man, previous to his detection in the crime for which he suffered, lived in credit, and bore an unblemished character, supporting an amiable wife and several children by his industry. He had long been in the confidence of the Post-master of Bath, who intrusted him with sorting the letters, making up the mails, &c.

Though robberies had been frequently practised upon the office, and letters missed, yet it was some time ere suspicion fell upon Bailey as the plunderer. At length, however, justice, however slow, yet sure, overtook him. He was convicted at the Summer Assizes for Somersetshire, of stealing from the Bath Post office, a letter, containing bills, the property of Messrs. Slack, linen drapers, and of forging an indorsement on one of the said bills.

Shortly after his conviction, Mr. Bridle, the keeper of the gaol, gave him a list of several letters reported to have been lost from the Bath Post-office, and which it was supposed he must have had some knowledge of. On this he wrote—"I have clearly examined this list, and there is only one I really know of, and that I have received the benefit of—must beg to be excused from saying which—A. B." On

another part of it he adds—"It has been said I
concerns with others in the Post-office; now I do
declare to God, that I had no concerns with any one

Bailey had some hopes of a reprieve till Mond
his Solicitor informed him that all applicatio
Secretary of State, the Post-masters' General, a
judge who tried him, were in vain. As the prison
could only be brought to acknowledge the crime
he had been convicted, the under sheriff, in conse
several letters he had received to that effect, th
might be brought to make a further confession
quently, on Tuesday morning, after he had taken
tionate and distressing leave of his wife and si
and received the Sacrament, and being left to hi
his own reflections some hours, Mr. Mellish, w
humanity, again urged him on the matter, mentio
ticular letters that had been lost; to which Bail
replied—"I must request, Sir, you will not press m
on this subject; I have made a solemn engagem
Almighty God, that I will not disclose more tha
done, which I think would be a heinous and addi
to break; if I had not made this engagement,
readily, Sir, answer all your questions, and remove
culties." Afterwards he observed—"I am about
for what has been truly proved against me, all the r
die with me."

He was taken out of prison a little after eight o
the morning, and placed in a cart, attended by Mr.
the under sheriff, and the Chaplain of the prison, In
He shewed the greatest firmness on the way to t
tree; and, when under the gallows, he joined fer
prayer, and addressed the spectators audibly—"I h
will all take warning;" and, holding a prayer-boo
hand, "I beg you to look often into this book, and
not come to shame. Be sure to be honest, and no
money, cursed money! and particularly money th
your own." He was then deprived of his mortal
existence, dying without a struggle.

CARDIFF SUMMER ASSIZES, 1811.

A CURIOUS and very important fact occurred at Cardiff, upon a Circuit there. A Gentleman of opulence, a Magistrate, and of no questioned repute, addressed a letter to one of the judges, in which his object was, not only to accuse a culprit (committed for manslaughter upon a Coroner's Inquest) of a deliberate and savage murder, but also, upon the evidence of assertion alone, to inflame the judicial mind of his correspondent against that prisoner, by persuading the judge before hand, that unless the accused should be cut off by the law, not a life near him, or within his reach, could be safe. He represented this man as a conspirator in a desperate clan of miscreants, who were men of sanguinary habits and passions.

He told the judge, that all the witnesses who were to be sworn were all partial to the accused, and would suppress the facts they knew, unless his Lordship would make them speak out; and he desired him to keep the secret of these hints, for which he gave this reason, "that every thing valuable to him was at stake in withholding from this clan the knowledge of the part he took against them."

When the judge had read this letter, which he received in Court, the Bar, and Grand Jury attending, he told them a letter had been just put into his hand, and he named the writer of it; he added, that circumstances of peculiar delicacy respecting the subject of that letter imposed upon his feelings the painful necessity of deferring to publish the contents till the gaol had been delivered; but that he should then direct his principal officer to read it aloud, and should pass a marked and public censure upon it, after delivering which, he should command the deposit of the letter upon the files of the Court, for safe custody, accompanied by a note of its doom, that if the writer chose to appear he would be in time, and would be heard. When the man accused of the manslaughter had been tried, and had received the sentence of imprisonment for three months, he was re-

manded. The writer of the letter did not appear, and the judge delivered himself nearly as follows, to a numerous audience. We give the substance without professing to give the words:—

"You have heard this letter, and your looks were eloquent.—They reprobated this tampering and cruel artifice.

"A Magistrate of the county, at whose mercy, in some degree are the lives and liberties of men, writes to me for the single purpose of insinuating and whispering away a man's life, by undue influence upon the judgment or the feelings of his correspondent.

"His object is, to invert the habit and principle of a judicial trust, which is that of being council for the prisoners, into the new and sanguinary department of a suborned advocate against them. His letter prompts me to goad the witnesses into evidence more hostile to the culprit, than it was their intention to give—advice to me, insinuated behind the back of the accused, and just before his trial, upon evidence of assertion alone, unduly and surreptitiously communicated!

"But what heightens the depravity of this insult upon the Court, and this cruelty of it, as it has taken aim at the parties who are implicated, is the confidence proposed and claimed.

"My God!" said the judge, "is it in 1811, that any man breathing, a subject of this realm, could think a judge base enough, to be an accomplice in this fraud upon the sacred honour of his covenant upon oath; of his dignified indifference to parties; and, above all, of his presumptions which are those of the law, that up to the moment of conviction, by authentic and sworn proof, the accused are innocent?

"What can be said for the writer?

"Even to him I would be merciful. Is it an error of judgment? Is it ignorance? But can we forget that he is a *Magistrate*, and that he is a *man*? Shall a magistrate be indemnified, or dismissed with a gentle rebuke, who is ignorant of the judicial honour imposed upon him by his

peculiar office? Is he a man, so unenlightened, as to be unapprised of those feelings, which tell every honourable mind, that no man is to be condemned unheard, and whispered out of the world, by a secret, between his accuser and his judge?

"As a memorial to after ages, of the disgrace inseparable from attempts like these, I direct the officer to file this letter upon the Records of the Court, accompanied by a note of the fact, that it was read aloud in open Court, and severely censured by the judge to whom it was addressed."

The other judge assenting, it was made a Rule of Court.*

A NEW MODE OF HOUSE-BREAKING.

UNION HALL, in the Borough of Southwark, on the 9th September, 1811, James Dale, a chimney-sweeper, was charged on suspicion of committing divers felonies.

It appeared that the houses of several of the inhabitants of the Borough have recently been entered by some person contriving to get on the roof, and descending down the chimney.† This depredator descended into the house of Mr. Stewartson, the haberdasher, and found his way into

* The Judges of this Court are George Hardinge, Esq. and Abel Moysey, Esq. Lawyers of unimpeached integrity.

† A ludicrous circumstance lately occurred at Bromhill, near Whalton:—Some villains attempted to rob the barn of Mr. John Pratt, of that place; but while they were breaking in, two chimney-sweepers who were lodged there for the purpose of starting off early in the morning with their work at the farmer's, were roused by the noise, and one of them calling out, "I am coming," the depredators scampered off in great terror.

At Highgate, about the same time, two ladies were dreadfully alarmed by the appearance of a black figure in their bed-room. The youngest of them immediately jumped out of bed, ran down stairs, and alarmed the family; when, to their astonishment, on returning to the room, it was found to be a chimney-sweeper, who had descended from the wrong chimney, to the no small confusion of the ladies who found themselves in complete *dishabille* before this son of soot.

the kitchen, which is on the first floor :—here, as it should appear, though in the dark, the closet did not escape his notice, as a considerable quantity of bread and cheese had disappeared when the servant came down in the morning; a Morocco thread-case, belonging to Mrs. Stewartson, in which was a gown pattern cut out of thin paper, by the feel of which, the thief was probably deceived into an opinion that he had got a prize of bank notes, was also taken. From this house, the villain went to Mr. Freeman's, where he again descended, and here having discovered his error with respect to the thread-case, and also having found more valuable booty, namely, four silver table spoons and a silver vegetable fork, he re-ascended the chimney with them, leaving the thread-case and also a clasp-knife behind him.

The next house he visited was Mr. Bishop's, a haberdasher, where he proceeded so far as to remove the chimney-pot, preparatory to his descent, when it is supposed he was interrupted, as he retreated without effecting his object. On the same night he visited the World Turned Upside Down public-house, in the Kent road, where, according to his usual practice, disdaining the common entrance, he descended the chimney; and, finding nothing better, contented himself with taking a bag containing about three pounds worth of light halfpence; and here, it is supposed, he terminated the labours of the night. On Goff, the officer being applied to by Mr. Freeman, his suspicion fell on the prisoner Dale, who had been seen with a considerable quantity of bad halfpence in his possession; these suspicions were strengthened by the prisoner's initials J. D. being marked on the knife left at Mr. Freeman's, as well as by an hieroglyphical device upon it, expressive of his trade, viz. an house with the chimney on fire, and the chimney-sweeper running towards it. At Mr. Stewartson's also the depredator had left an impression of his naked foot on the floor-cloth, which agrees correctly with the shape and size of Dale's foot.

This sooty rogue was committed to prison.

DANIEL DAVIS,

convicted at the September Sessions, 1811, at the Old Bailey, and sentenced to Transportation, for a Robbery on the Post-Office.

DANIEL DAVIS was capitally indicted for having secreted a letter entrusted to him, as one of the letter-carriers of the General Post-office, and appropriating to his own purposes a Bank of England note of 10*l.* contained therein.

It appeared in evidence, that the letter which the prisoner was charged with having secreted, had been with the usual quarity put into the Post-office, upon the 30th of May, by, at Liverpool, by a person named William Scolfield, ected to his father at the house of Mr. Ragnes, 25, King-eet, Covent-garden. A letter of advice had been pre-iously sent, and received by Mr. Scolfield, senior, stating number and particulars of the note, which it was his intention to transmit to him. The letter, however, the promised inclosure, not having arrived upon the of May, Mr. Scolfield, junior, went to the Bank and pped payment of the note. Until the 31st of July, no mation was received, by which the circumstance could elucidated; but upon that day it was paid away in the k of England by Messrs. Roberts and Co. Mr. Parkin, citor for the Post-office, to whom previous intimation he robbery had been given, then ascertained that Roberts Co. had received it from Meux and Co. to whom it had given by a publican named William Rose, who keeps Crown and Two Chairmen, Dean-street, Soho.

the evidence of Mr. Rose, it appeared that he had ived the note from the prisoner, whose name he put on nd who was letter-carrier to the district in which he ded.

he usual proofs of the routine business at the Post-e having been adduced, as well as the proof of the

mode by which the prisoner had obtained possession of the letter.

RICHARD ANDREWS and ALEXANDER HALL,

Convicted the 24th September, 1811, at Hicks's Hall, on two indictments; on the first imprisoned, and on the other transported for seven years.

ANDREWS had been long a depredator upon the public; and though he had not the advantage of being a COUNSELLOR AT LAW, yet he well knew how to "keep his neck out of the halter;" he would not, in fact, touch upon what might amount to a felony; but, with all their art and knowledge, we are always finding swindlers stumbling upon the pillory, or strolling on board a transport.

The first public examination of Andrews, of any moment, was at the bar of the Police-office, in Queen-square, Westminster, on the 31st March, 1807; when Colonel Davison (not of St. James's-square) stated, that he became acquainted with the prisoner in the King's Bench. It was very material for the Colonel to get a seat in Parliament; and, as the prisoner had often represented himself as intimately connected with some of the first characters in the country, the Colonel disclosed his affairs to him, who undertook to forward his intention. He described himself as the intimate acquaintance of the Earl of Besborough, Lord Fitzwilliam, R. Spencer, Esq. from whom he received contributions while in prison. After the Colonel had left the Bench, he frequently relieved him with pecuniary trifles, till he was liberated by the Insolvent Act; and he then carried his pretensions to the extreme, by observing that he had been offered a seat in Parliament by Earl Fitzwilliam, but it would ill become him to accept it, having been so recently liberated; and he could, by the interest of the Earl of Besborough, have the honour conferred on the Colonel, as it was by the interest of that Earl that Lord Fitzwilliam's

r was to be realized. The Colonel went to dine with
said, Esq. at Roehampton, and the prisoner accom-
him in his carriage to the Earl of Besborough's
at the same place; but the Earl was from home.
r the prisoner again in a day or two, when he in-
him that he had conversed with the Earl of Bes-
h, on the subject of a seat in Parliament, and the
cosely remarked, "I should conceive you to be a
ninute to want a seat, after taking the benefit of the
nt Act." The conversation then became more
: and the Colonel, as his friend, was to have the seat
ed by Earl Fitzwilliam. The prisoner went on to
that he was connected with the Noble Earl, who had
roughs in Ireland, and who would dispose of them at
each; and if the Colonel should have other friends
ommodate, he might have the preference, as the
Earl had authorized him to find candidates. The
l found candidates for all the boroughs the prisoner
ked of, and by his desire the money was deposited in
nds of a banker. The candidates, when they became
ers, were to retain their seats for five years, in case
dissolution of Parliament. The Colonel here observed,
: had such full confidence in the prisoner, as by his
s to have been led away in a manner that made him
ore like an accomplice than a dupe. He had been
eived by the plausible pretences, and the solemnity
prisoner's conduct, that his mind was tranquillized;
e had obtained of him (the Colonel) and his friends,
recommendation, 4000l. he having got 2000l. in two
nts, as he said, for the Earl of Besborough, as part of
nsideration for the boroughs in Ireland. The other
consisted in relieving the temporary embarrassments
prisoner, and accepted his bills. The Colonel had
ed bills for a carriage, which the prisoner had made in
l-street, also for his stud, &c. besides those of dif-
trades-people. The Colonel, having at length
ained some suspicion of the prisoner, waited on the
f Besborough, when he found his suspicions realized.
: Earl of Besborough stated, that he knew no more of

the prisoner than having received letters from him while in prison, asking relief, which he granted to him in trifles. He knew nothing of what he had related respecting the boroughs, and the other nobleman who had been talked of knew no more of the prisoner than having afforded relief to his distresses.

A gentleman, who had agreed to purchase one of the boroughs, proved, that he had paid the prisoner 400l. as part of the consideration, and had been completely misled.

The prisoner was committed for re-examination.

He formerly kept his carriage and a dashing equipage in Half-Moon-street, Piccadilly; but he was apprehended in an obscure lodging in Westminster.

In a few days, Andrews was again brought to the same office for a farther examination. On this occasion the principal evidence against him was Mr. Harris, an aged gentleman, a surgeon and man midwife in the Strand, whose ruin had been the consequence of the conduct of the prisoner.

It appeared by the statement of this gentleman, that he accidentally met with a lady, (who turned out to be the wife of the prisoner,) in 1800. It being late at night he offered to see the lady home, and he did so to Edward-street, Cavendish-square. The prisoner expressed his warmest acknowledgements for the trouble Mr. Harris had taken, and invited him to dine, &c. at his table.

A mutual intimacy now subsisted between the parties, and Mr. Harris attended professionally at the *accouchment* of Mrs. Andrews, in February 1801. In April the prisoner took apartments at the house of Mr. Harris, and remained there above 12 months; but never paid board or lodging. The prisoner kept his carriage at the time. He used to represent himself as a man of fortune, and the brother of the person who was the proprietor of the Dartford Powder-Mills. Mr. Harris was employed by the prisoner to inspect jesuit barks, opium, &c. which he (the prisoner) used to purchase in considerable quantities. The complainant, on a certain day in April, 1801, supped with the prisoner and others; and, after having drank freely, and reduced himself

to a state of stupefaction, the party retired, and shortly after returned with a bundle of papers, which he signed, as a witness, without knowing what they were. The complainant stated, that he believed opium had been mixed with his wine, for he felt himself very ill the next day.—Mr. Harris had not signed these papers many days, when he was arrested at the suit of Mr. Barron, druggist, in the Strand, though unconscious of having contracted a debt with that gentleman; but the business was settled by the attorney, while Mr. Harris was in a lock-up house. He was released and returned to his house, which was then in Theobalds-road. He used to ride with the prisoner in his carriage, and on a certain day, when at the foot of Westminster-bridge, the prisoner alighted, and observed, that he was going for a gentleman; and he, in a few minutes, brought a Sheriff's officer, who served a writ on the complainant, who knew of no debt he owed, and was hurried away in the carriage to the King's Bench Prison, where he remained until October, 1794, when he was cleared by the Insolvent Act. He could get no redress for this cruel treatment, and he reflected with horror on the conduct of Andrews, who called on him again for his releasement. At this time a cupboard-door was standing open in Mr. Harris's house, and the prisoner reached a box from off a shelf, and rattled it. The complainant was at this moment sent for into his shop, and the prisoner went up stairs with the box, which contained plate to the amount of 200*l*. The complainant returned, and followed the prisoner up stairs; but he had gone off with the box and plate. Mr. Harris saw the prisoner again in the evening, when he said that he had made a temporary use of the plate, to save himself from being arrested, but he would return it in a day or two; but he ultimately absconded. The plate was the property of a West India merchant, who had married the daughter of Mr. Harris, and it was left in his possession for safety, whilst the merchant was gone abroad.

Another charge was exhibited against the prisoner by a young man, in whose mother's house the prisoner lodged in 1797. He had obtained 21*l*. of the woman, which was

chiefly expended in clothing a woman with whom he l
cohabited. The prisoner had given the young man t
letters to take to the Duke of Devonshire and Earl Spenc
which were, according to his account, recommendations
the father of the youth to get a comfortable place; l
whilst he was gone the prisoner decamped from the hou
The young man had seen the prisoner with Sir Wat
Lewes, who had informed him he would pay the debt; l
he (the witness) had very recently seen Sir Watkin, w
said he had also a charge to institute against the prisone

William Brown, late coachman to the prisoner, appea
in his old master's livery, blue and silver lace, to ans
interrogatories respecting goods which had been obtai
by the prisoner from Mr. Asser, chinaman; but Mr. A
was not present, and the testimony was of no avail.

The magistrate informed the prisoner, that his situat
wore a serious aspect, for he stood charged with felo
The prisoner observed, that he had been advised to
nothing until he came before a jury; but he had feeli
which, irritated by an abominable conspiracy, compel
him to speak. He then entered into a long vindication
his conduct in a firm manner, and protested his innocen
He also begged of the persons present to suspend th
judgment till the hour of trial. The magistrate repli
that it was astonishing that the prisoner should m
solemn asseverations of his innocence, when it was palpa
that without fortune, or any visible means of obtain
support, he had been enabled to keep a carriage
sumptuous equipage—that there had been a multiplicity
persons at the office to substantiate charges against hi
and that he, (the magistrate,) considered it the duty
his official situation to remand the prisoner, for the furt
investigation of his conduct. He was therefore remand
accordingly.

On the 10th of April following, Andrews underwe
fourth examination. The first witness called was M
Harris, the wife of the merchant who had lost his plate,
the daughter of Harris, from whose house it was said

have been stolen. This lady corroborated what had been advanced by Mr. Young, who redeemed the plate.

Mr. Brown, who resides in the neighbourhood of Bedford-square, stated, that he lived on an independent property, and first became acquainted with the prisoner in the King's Bench, a few months since. He (Mr. B.) was discharged by the Insolvent Act as well as the prisoner, and about the same time; they had become the most intimate friends: and Mr. Andrews, after his release, lived in Great Russel-street, Bloomsbury, where he kept his chariot and a livery servant, which was afterwards replaced by a family coach and two livery-servants. Mr. Andrews had given this witness to understand that he was on the eve of coming to an unlimited fortune, as the heir of Bishop Andrews; and Mr. Brown and his lady used frequently to dine with the prisoner, as did he and his lady with them. At Mr. Andrews's dinner party, Colonel Davison, Maltby, M'Cullum, and others, used to be present; but these persons were never invited to Mr. Brown's table. In a conversation between a Mrs. Roberts, who used to dine at the prisoner's table, that lady, in the presence of Mrs. Brown, felt herself surprised at seeing Mrs. Andrews pay some tradesmen's bills, and publicly deprecated so mistaken an idea! This witness had subscribed four hundred pounds to Mr. Andrews's system of finance, besides having done him some little favours while he was in the King's Bench. He had also some bills of Colonel Davison's acceptance, which were not yet due. Mr. Brown had also received a letter from the prisoner, addressed to the Earl of Besborough, which was to procure him (Mr. B.) a place of four or five hundred a year under Government, which he delivered to the Earl. Mr. Brown had received this mark of kindness from the prisoner, after he had lent him four hundred pounds; and he needed no promise for that advance, for Mr. Andrews, by his open conduct, had completely got the better of his purse, which he felt no hesitation in opening to him.

A poor man of the name of Newcombe, at whose house the prisoner lodged, lost 25*l.* by him, by paying chandler's shop and other little scores, and gave a very singular

description of the prisoner's conduct. He acted the p of an embarrassed gentleman, and one day read a prin speech, which he said he made from the hustings at Ipswi when he was a candidate for the representation of t borough in Parliament.

Andrews complained of the unfair conduct of the Ma trate during the inquiry, and again denied ever having an intention of injuring any one. A committee, he s sat daily at Fishmongers' Hall, to carry on this foul c spiracy against him; and, however his feelings might tortured by being made a ridicule in that office, a j would convince the world of his innocence. The pris was again remanded for another examination.

Again he was brought up, and fresh charges exhib against him; but so artfully had he gone about the c mission of the different frauds, that he evaded the punishment due to his crimes, for near five years, the during that long period he lived, to use an old saying, ' his wits." But justice, though sometimes tardy, will s at length overtake the most artful and hardened offe Andrews, after this long course of infamy—he who duped nobles, and deceived men of all grades in soc was at length caught in swindling a tavern-keeper out dinner.

He was at length committed, upon seven diff charges, to take his trial. It appeared in the cour his different examinations that he committed depreda on all ranks, from the rich and fashionable down to a washer-woman, in whose house, when closely pursue took lodgings, borrowed money of her, and even defra her of the articles that she received in the way o occupation.

At the Quarter Sessions for the County of Middlese Tuesday, September the 24th, 1811, Richard Andrew Alexander Hall were put to the bar, charged upo indictment with defrauding Isaac Kendall, by mea certain false pretences, of the sum of 13*l.* 6*s.* again form of the statute in that case made and provided.

When the indictment was about to be read, an

prisoners called upon to plead, Andrews addressed the Court, and repeated his application to have the trial postponed, being quite unable, for the want of pecuniary assistance, to have the professional aid of those who were competent to support him on so severe an occasion. He said also, that the want of money prevented him from procuring the necessary witnesses, whose evidence could alone prove his innocence, and convince the world that he was not the man whom newspaper report had so branded. For there was not a journal published in the nation that did not impose upon him an assumed characteristic. In some he was called "Parson Andrews," in others, "Captain Andrews;" many had the good nature to dub him "Doctor Andrews;" but they all agreed in one point, namely, that of giving him every name but that which belonged to him. He called God to witness, that in the whole course of his life he never arrogated to himself any characteristic that did not belong to him, or assumed any other description than that of plain "Richard Andrews." Yet he was persecuted beyond example. He entreated of the Court, he supplicated the Bench, that he might be allowed a month to prepare himself; that he might have the benefit of counsel, and be provided with the necessary instructions for his counsel; as he was convinced, if that indulgence should be allowed to him, that he would make his innocence, as far as the intent of wronging the prosecutor, perfectly manifest: at present he could neither obtain the support of witnesses and proofs, the assistance of Solicitor, or the aid of counsel. He submitted to the court, that the prosecutor had two indictments for the one offence against him, and he begged to know upon which of them he intended to try him, as he understood that he had preferred another bill against him.

Mr. Alley, for the prosecution, here interfered, and observed, that the defendant well knew, that although there were two indictments, that yet there was but one charge, and that was a charge for an offence committed so far back as the 19th of February last, and therefore he could not complain of surprise; and as to the fact of preferring another bill, in point of substantial truth it was no such

thing. It was no more nor no less than merely amending a clerical error in the first bill—the introduction of a single word instead of another. Therefore the defendant had not to take this for a bill of the present Sessions.

Several observations were made by Andrews, and the counsel for the prosecution severally replied to them.

At length Mr. Mainwaring stated the sentiments of the Court, the substance whereof was, that although they were disposed to give every reasonable and humane assistance that they could to all persons in the predicament of the prisoner, yet that they actually did not perceive that satisfactory grounds were adduced for postponing this trial any longer. The circumstance of deficiency of pecuniary means was not a reason why the public justice of the country was to be delayed; but the prisoner, as in such cases, would find counsel in the Court themselves—the Judges would be his counsel, as in humanity they ought.

The trial then proceeded. Mr. Alley stated the case, that it was an indictment under the 30th of Geo. III. commonly called, "the Swindling Act," and after expatiating on the enormity of offences, such as the prisoner was accused of, proceeded to call his witnesses.

Isaac Kendall stated himself to be the proprietor of the Coffee-house situate in St. Clement's Church-yard. He said, that on the 12th of February last, the two prisoners, Andrews and Hall, came to his house, and ordered dinner.

Mr. Kendall continued—"The coffee-room was very full, and I was busy attending the company. Before they finished their dinner they called for a bottle of wine. There was another gentleman in the coffee-room, who spoke to Mr. Hall. This gentleman was invited to join them after dinner."

Q. By Mr. Alley—Is not the person you speak of a most respectable man, do you not know him very well?—A. Beyond a doubt.

Kendall—"After dinner they called to me, and asked for their bill; I made it out, it amounted to 1*l.* 7*s.* 6*d.* They offered me a check on Drummond and Co."

Q. By the Chairman.—Who do you mean by they?—

A. Hall offered me the check; on looking at it I saw an informality, and would not take it. I then returned it to Hall; Andrews said he would draw another, and they begged pardon for the mistake; the check had thirteen on it instead of thirteen pounds; I saw Andrews draw another for 13*l.* 5*s.*

Q. By the Chairman—Was the first check in the name of Andrews, though offered by Hall?—A. Yes.

Q. Did you see Andrews draw it?—A. I was rather busy at the moment, but he called for pen and ink, and he had a book of checks by his side. The draft was for 13*l.* 5*s.* on Drummond and Co. While Andrews was doing something with it, I took Hall aside, and asked him, was all right; he answered, "O! yes! my dear fellow, don't be afraid;" and speaking of Andrews, he said, "He was a rich uncle of his, who had been very kind to him on various occasions, and that I need not fear." The opinion I formerly entertained of Hall was so high, that I would have given him 40*l.* instead of the balance of the draft, had he asked it.

Q. Was any thing said to the gentleman who had joined the prisoner's company, about going to the Theatre?—A. It was agreed that he should accompany them there; they did not go out together. It was proposed by them (the prisoners) to dine at my house on the Wednesday or Thursday following, when they would bring a party of friends; and the gentleman was also invited. When the prisoners left the house, the gentleman stopped at the bar to inquire whether the dinner would be on the Wednesday or Thursday. In the mean time they went away; I went to the door along with the gentleman, but they were gone. We looked both to the right and left, but they were not to be seen. I then suspected something was wrong. I sent my son next morning to Drummond's, but there were no effects to pay the draft. In a day or two after, I went, accompanied by my son, to the Bankers; but it was useless, the draft has never been paid.

Mr. Heald, from the house of Messrs. Drummond, proved, that Andrews had not, at the time of the drawing the said draft, any cash whatsoever in their hands; that the last money

which lay in their hands, belonging to him, was 2s. 6d. which was paid to his messenger three years ago; but he admitted that there was a cash account with the prisoner Andrews, in their house, and that, within three years previous to the year 1808, his account exceeded 6000*l.* It was, however, all drawn out in January, 1808.

The prosecution on the part of the crown being finished, the prisoners were called on for their defence, when Andrews asked a few questions of Mr. Kendall and Mr. Heald, and then addressed the Court, admitting that he drew the draft, and that the money was given to his unfortunate friend, the other prisoner; but he submitted, that as he had kept an account in the Banking-house, even had that account been over-drawn, yet that he did not consider himself, much less did he consider Hall, as guilty of any violation of the law. He glanced at the effects which prejudice must have upon a man so miserably situated as he was, and concluded with a strong appeal to the merciful consideration of the Court and of the jury.

Mr. Mainwaring recapitulated the whole of the evidence, making suitable comments upon it, and upon the law of the case, as far as regarded the offence charged against both the prisoners, and left it with the jury to say whether they were guilty or not; and the jury, after a very short consultation, brought in a verdict of Guilty.

They were both again tried, upon a second indictment, for a like offence, in defrauding a person of the name of Brundell, who keeps a tavern at Blackwall, of 30*l.*

The prisoners went to Mr. Brundell's house and dined; after dinner they got him to sit down and drink a glass of wine with them, and in the course of the conversation they signified that a party of twenty would dine there on the Thursday following, and bespoke a turtle dinner accordingly for that number, at the rate of 20*s.* a head. In a little time after dinner, a letter was received by Mr. Brundell, at his bar, and on opening it, he found another, directed "To Richard Andrews, Esq." which letter was instantly handed up-stairs to Mr. Andrews. Mr. Andrews no sooner received it than a conversation took place respecting the sale and

purchase of an estate; at length the prisoners again got into a conversation with Mr. Brundell; and in short they tendered to him a draft for 50*l.* on Messrs. Biddulph and Co. and desiring him to stop 20*l.* on account of the intended turtle dinner, got the difference, which was 30*l.* from him; and after finishing two or three bottles they walked off. When the draft was presented the next day, at Messrs. Biddulph's, the fraud was discovered, for he had no account there, and Mr. Brundell saw no more of his guests till he saw them in custody.—They were both found guilty on this indictment.

Mr. Mainwaring passed the sentence of the Court, which was, that for the first offence, they should be imprisoned in Newgate six months, and, for the second, that they should be transported for seven years.

On their being taken to prison, David Davis was put to the bar charged with keeping "Little goes." He was ordered to be imprisoned six months, and within the first month to be publicly whipped 300 yards in the neighbourhood of Brompton.

RICHARD PAYNE AND JOHN MALONEY.

Convicted at the October Sessions, 1811, at the Old Bailey, and sentenced to death for a Highway Robbery.

(A most treacherous and ungrateful act of Villainy.)

RICHARD PAYNE and John Maloney were put to the bar, and indicted for making an assault, upon the King's highway, on William Ducketts, putting him in fear, and taking from his person, and against his will, a pocket-book, value 6d. one Bank of England note, value 10*l.* one other Bank of England note, value 5*l.* and three 1*l.* notes, his property.

William Ducketts deposed, that he is a Venitian blind-maker, and that on the night of the day mentioned in the indictment, he went into a liquor-shop in St. Giles's, and asked for some beer, but they did not sell any, and he could not be served with that article; so he called for some rum and water, and whilst drinking it he observed an old man in the shop, and he invited him to a glass of gin, and paid for it; and then took the old man with him across the way to a public-house, where the two prisoners, who saw him in the liquor-shop followed him. They all conversed together, and he treated them all; he had no sooner done this than he perceived the prisoner Payne whisper to another man in the room (Salmon, the Bow-street officer, something, and immediately Salmon took him (the prosecutor) into custody, and searched him, saying, that he had an information against him. He answered that he was not afraid of any matter or person, but the officer proceeded to search him, and upon taking his pocket-book from his pocket, examined it, and found its contents to consist of the property above-mentioned; whereupon Salmon said he was misinformed, and advised him immediately to go home. All this time the two prisoners were present, and saw the notes taken out of and again restored to the pocket-book which he placed again in his inside coat pocket, and having paid his reckoning departed. He had not, however, proceeded many paces from the last public-house, when two men rushed upon him; one of them pulled his hat over his eyes, and the other pulled back his hands, and one or the other of them said, "Come you b—y ——, your pocket book," and they snatched it violently from his pocket, and made off.

Several witnesses were called during the investigation of this case, from whose testimony the proofs of guilt were made manifest, as far as circumstantial events could establish guilt.

Salmon corroborated all that part of the testimony of the prosecutor that related to the occurrences which took place during the whole of the time he was in the room of the public-house, and he assigned as a reason for searching

prosecutor, in the manner he did, because one of the prisoners (Payne) had privately informed him that he, the prosecutor, was a returned convict.

Another witness, the publican, proved that both the prisoners came to his house the day after the robbery, and tendered a ten pound Bank of England note to be changed, which turned out to be the very identical note that was in Ducketts' pocket-book, when he was robbed.

The evidence of the prosecution being gone through, the judge, Sir Simon Le Blanc, summed up the evidence with his accustomed accuracy and precision, making suitable comments on the whole, and the jury brought in a verdict of—Guilty—Death.

CHARLES BENNETT,

Sentenced to three months' imprisonment in the House of Correction, for defrauding his Employers of sixpence.

THE frauds committed by porters, carters, and errand men, are now become so common, that it is high time to put a stop to such mean frauds. This was, therefore, a most laudable prosecution, and we trust that it will be a warning to servants, intrusted with the property of others.

At the Quarter Sessions held the 25th of October, 1811, for the city and liberty of Westminster, Charles Bennett was put to the bar, charged under the Swindling Act, with defrauding his employers, Messrs. Broadwood, of Great Pulteney-street, musical instrument-makers, of sixpence.

Mr. Knapp, for the prosecution, stated, that the object of this proceeding against the defendant did not arise from the paltry consideration of the sixpence, mentioned in the indictment, but it occurred from the frequent impositions practised upon the prosecutors, and he trusted this would operate for the benefit of the public, by preventing persons

in whom confidence was placed by their employers from committing the like depredations upon them, and from abusing such confidence.

The prisoner was employed as a servant by the prosecutors, and was chiefly occupied in conveying their goods in carts, and otherwise, to various parts of the metropolis, and places adjacent. On the 5th of last December he was directed to carry a piano forte to Miller's Wharf, for the purpose of being sent, by the then next sailing vessel, to Leith, being purchased by Messrs. Gow, of Edinburgh. He conveyed the article accordingly, and on his return to his master's house, delivered a receipt, purporting to be a receipt for 3*s*. 6*d* for wharfage, and signed by the clerk of the wharf, Mr. Mackaness, for that sum; he was accordingly paid 3*s*. 6*d*. by Mr. Payne, the clerk of Messrs. Broadwood.

Mr. Payne proved the foregoing facts, and added, that afterwards, having more accurately examined the receipts, he observed that the 6*d*. was written in ink very different from all the rest of the receipts; and, having communicated his suspicions, inquiries were instituted at the wharf, and it was discovered that no more than 3*s*. had been charged or paid for the wharfage of the article.

Mr. Mackaness, the clerk at Miller's wharf, was next called: he proved that no more than three shillings had been paid by the defendant, and that the sixpence added was not his hand-writing; he also produced his waste book of that day, where the entry made was only for 3*s*.

The prisoner being asked what he had to say for himself answered, "Nothing."

Mr. Mainwaring summed up the evidence with suitable comments, and the jury without hesitation found the prisoner Guilty.

He was asked by the Court, whether he had any family? He said, "A wife and two children."

Mr. Mainwaring then addressed him, and in a most impressive manner enlarged on the heinousness of his offence which, he observed, was greatly enhanced by its addition ingratitude to breach of trust and confidence; but in consideration of his having a family, instead of heavier a

more disgraceful punishment, he should sentence him only to three months' imprisonment; and he was so sentenced accordingly.

JOSEPH BROWN,

Executed at York, for the murder of his Landlady several years before, in order to possess himself of her property.

O power of guilt! How conscience can upbraid!
It forces us not only to reveal,
But to repeat what we would most conceal.

DRYDEN.

THIS is another instance of the wonderful workings of Providence, in the conscience of a murderer; impelling him to discover his own crime, and to resign himself into the hands of justice.

Joseph Brown was indicted for the wilful murder of Elizabeth Fletcher, at Hensal, near Ferrybridge, by administering poison to her in the month of October, 1804.

Robert Challenger, the first witness examined, lived at Hensal in October, 1804, and was a near neighbour of Elizabeth Fletcher at the time of her death; saw her the night before she died, on Sunday, the 21st October, when she appeared in good health. Witness was in her house about eight or nine in the evening, and saw the prisoners, Joseph Brown and Joseph Hazlegrove, at supper; at that period they lodged there; recollects Hazlegrove fetching a quart of ale, which he mixed with a quantity of sugar, and then gave it to the deceased, desiring her to drink heartily of it, having previously put the mug to his own mouth to drink; but witness could not say whether he actually drank of it or not. The deceased drank of it freely, and gave it to her sister, who also partook of it. Brown poured some ale unsweetened into a mug, saying he did not like it sweetened, and the whole of the sweetened ale was taken by the deceased and her sister; prisoner and Hazlegrove went to bed about a quarter of an hour after the ale was

drank, and the witness returned home about nine in the evening. About eleven o'clock in the morning of the next day, saw Elizabeth Fletcher; she was then dead, and her sister was in a deep sleep, in which she continued till six o'clock in the evening, when she awoke, and took a little refreshment.

Mrs. Longbottom, finding the windows of the deceased closed at a much later hour in the morning than was usual, went, at the desire of Mrs. Hemsworth, into the house; the door was shut, but not fastened. On going into the house, she found the deceased and her sister apparently in a dying state: the sister lay helpless on the floor, and the deceased was extended on the bed. Witness thought at first she was dead; but, on moving her a little, she perceived she was alive, and perceived a quantity of froth at her mouth. Witness remained with her until she died, which was about a quarter before eleven o'clock. The deceased never spoke; she was motionless, and her eyes were closed, though she moved her eye-lids. The witness had seen the deceased on Sunday, the day before her death, and she then appeared to be in a good state of health. Witness said Sarah Fletcher was upon the floor; witness assisted to remove her into a chair; she opened her eyes, but did not speak; it was six o'clock in the evening before she spoke. Elizabeth Fletcher was about 55 years of age.

Rebecca Harrison lived next door to the deceased at the time of her death; went into her house about ten o'clock in the morning on the day she died, and was there also at eight o'clock the preceding evening before supper, and she was then in a good state of health; did not see the prisoner there in the morning; found the deceased lying on the bed; she appeared strongly convulsed, and froth came out of her mouth. Sarah Fletcher was subject to convulsion fits, but the deceased enjoyed a good state of health.

Thomas Wheates, constable, knew Elizabeth Fletcher; went to her house the day she died; she was lying upon the bed in a convulsed state; he went to the overseer to get medical assistance, but was informed she was dead before it procured. Went to Mr. Marshall, of Selby, who was

Coroner, was examined before him, but no medical person was procured to examine the body; Brown and Hazlegrove had left their lodgings. Saw the deceased and her sister; when the latter awoke, he asked what had been the matter with her; to which she replied, she did not know; fell asleep again immediately. Sarah Fletcher being in a state of approaching idiotcy, 4*s.* per week was paid by the parish towards her maintenance. The deceased was a very endeavouring and industrious woman.

Thomas Thorpe lives at Knottingly at present, but in October 1804, lived with Mr. Durham, of Hensal, and was then acquainted with the prisoner, who at that time lodged with the deceased. The prisoner, a short time before E. Fletcher's death, told him he had some thoughts of marrying her, for she had a good bit of money. Witness asked him how much; to which he replied, 20*l.* it would be a good thing, and set him aforehand. The prisoner said the conversation was false; it could not be true, he said, because he was at that time married, and therefore could not talk of marrying another person. The witness stated, that both Brown and Hazlegrove had represented themselves as single men. The prisoner again repeated his denial of this.

Rebecca Fletcher, sister of the deceased, went to her house on the 22d of October; found her sister Elizabeth dead, and her sister Sarah asleep. Said, that about three weeks before, her sister shewed her box to her; she had then in her box three guinea notes, and two pieces of gold; but, on examining the box after her decease, found the lock had been broken open, and the money taken away; the other contents of the box appeared much rumbled. The box was kept in the room where the prisoner and his companion slept. Prisoner asked the witness if she had not before stated that she had found a five-shilling piece in the box; to which she replied, she had not. Her sister Elizabeth, the deceased, had a good state of health for many years, and during that period had not been subject to any kind of fits.

John Carr stated, that the prisoners had been employed

to swingle flax; they were to do it by the job, and abse on the morning of the 22d of October, before the done the quantity they had agreed to do. Both of had represented themselves as unmarried men.

Mr. William Perkin, surgeon and druggist, of S stated, that the prisoner come to his shop on the 1 19th of October for some laudanum; the witness him his name, and the use he intended it for. The pr said his name was Joseph Fletcher, and that he liv Hensal, and that the laudanum was for the use of his f who lived at Cawood, and who was troubled with and could obtain no rest at night. On this represent the witness let him have six-penny worth, which was more than an ounce. Witness never saw the pr again, until he was examined before the magistra suspicion of having poisoned the deceased, whicl about ten days after; but he was perfectly sure as identity of the prisoner, and that the prisoner had sented his name as being Joseph Fletcher. The quan laudanum bought by the prisoner was sufficient to pr the effect described by the preceding witnesses in a p who had not been in the habit of using laudanum, a produce death; and that the symptoms described b witnesses, were such as were likely to result fro administration of laudanum; and, from these symp he had no doubt but the deceased died of the pois laudanum.

Mr. Sewell stated, that he was a Solicitor at the I Wight; that the prisoner was brought by a serjeant depot, to the office of the Magistrates at his own d that no threat, promise, or inducement of any kind held out to him to make confession; that he took it in writing at the time, and when it was fairly writte it was read over to him distinctly, who said he under it all, and it was all true. The reason assigned b prisoner for making this confession was, the ex anguish of mind he suffered from his reflections, rendered life insupportable. The confession was date of Wight, 3d of August, 1808. This confession

that he had been acquainted with Joseph Hazlegrove upwards of six years; that in the month of October, 1804, himself and Joseph Hazlegrove, lodged with Mrs. Fletcher, of Hensal, near Ferrybridge, and there formed the design of poisoning her, in order to possess themselves of some property they supposed her to possess; that for this purpose, he procured six penny worth of laudanum of a Mr. Perkins, of Snaith, which he gave to Hazlegrove, who mixed it with some beer, along with some sugar, and gave it to Elizabeth Fletcher and her sister; the former died in consequence of it, and early the following morning they broke open her box, and took out one guinea and a half; that they were afterwards apprehended and examined before a Magistrate, who not considering the evidence sufficiently strong against them, ordered them to be discharged. The confession recited also the commission of various other crimes, particularly that of the murder of Calvert, the Selby carrier; but the Judge would not permit that part of it to be read.

The prisoner being called upon for his defence, referred to a paper which had been delivered to the Judge at his lodgings, but His Lordship said he could take no notice of any papers delivered to him out of Court; but if the prisoner wished it to be read as his defence, he would give it to him, which the prisoner assenting to, it was read by the clerk of the Court. This paper stated, that about seven years ago, he commenced an intimate acquaintance with Joseph Hazlegrove, which had continued unbroken to the present moment; and that in the early part of their friendship, a lady of high rank and fortune became enamoured with his friend, and that many interesting meetings took place between them; and as he was employed by his friend to carry messages to the lady, and contrive interviews between them, this gave an air of secrecy and mystery to their conduct, which people represented much to their disadvantage, and insinuated that it was for dishonest purposes that they had their nightly meetings; and to such a pitch of malignity and superstition did their malice arrive, that there was not a murder committed

within ten miles, which was not attributed to them. This narrative then proceeded to a review of the different prosecutions which had been commenced against them, all of which originated, as he represented, in malice; and that, in consequence of the evidence of a vile man, they were convicted of a burglary; but that the Judge was much dissatisfied with the verdict, and their sentence was changed from death, to being sent on board the Hulks, and subsequently they were permitted to enter his Majesty's service, where their sufferings were so extreme, in consequence of the odium which even then followed them, that he determined by a false confession, either to have an opportunity of vindicating their characters in a Court of Justice, or of perishing in the attempt; and he knew that no confession which did not include the death of Calvert, would satisfy the gentlemen of Yorkshire: and, as to the death of Elizabeth Fletcher, it was occasioned by a fit, to which she had been subject.

This written paper concluded with protesting their entire innocence of the various crimes of which they had been accused, and concluded with a prayer for his enemies and persecutors. The judge then asked the prisoner if he wished any witnesses to be examined, to substantiate his defence, to which the prisoner replied in the negative. His Lordship then proceeded to sum up the evidence, and the jury, without retiring, immediately returned a verdict of Guilty.

His Lordship then proceeded to pass sentence of death upon the prisoner, whom he addressed in the following terms:—

"Joseph Brown, I am again called upon, in the painful exercise of my duty, to pass sentence upon a person found guilty of one of the greatest offences against society—the crime of deliberate murder. You stand an awful and striking example of the justice of Providence of that punishment, which, sooner or later, never fails to overtake the guilty. You have been compelled by the agonies of remorse, and the upbraidings and tortures of a guilty mind, to furnish that evidence against yourself, which was wanting to

establish the proof of your guilt, and to supply that link in the chain of evidence which appeared to be imperfect. I trust, that every one who hears of your fate will bear in mind, that a time will arrive, probably in this world, most certainly in another, when guilt will meet with its due punishment. In your unhappy case, that period is already come, when you must receive the reward of your crimes. Impelled by the hope of possessing the treasure which you supposed your unfortunate victim had saved from her hard earnings, you deliberately formed the design of destroying her; for this purpose you purchased a deadly drug, which you procured to be mingled in the cup, which you offered to her under the guise of friendship. When the potion had taken effect, you plundered her of her property, though it was much less than your guilty cupidity had suggested. Your crime appeared likely to be perpetrated, as to this world, with impunity; more than four years had elapsed since its perpetration, and the remembrance of it began to fade from the recollection of every one but the guilty author of the deed; and it seemed probable, that nothing more would have been heard of it, if the consciousness of your crime, more poignant and destructive than the poisoned bowl, had not compelled you to disclose the horrid secret.—Chequered as your life has been with crimes, I cannot indulge the hope, that any thing that I can say, will have any lasting effect upon you; but I conjure you to spend the few remaining hours you have to live, in earnest prayer and supplication to heaven for mercy; and may your unhappy fate convince others, that though their crimes may be committed in the darkness of the night, they will hereafter be proclaimed at noon-day."

His Lordship then passed sentence of death upon the prisoner in the usual form, which sentence was carried into execution on Monday the 20th of March, 1809.

ANN ILLIARD and her Daughter.

Fined and imprisoned for keeping a Brothel.

AT the London Sessions held at Guildhall the 10th of April, 1809, these scandalous women were indicted by the parish officers of St. Botolph, for keeping a disorderly house.

Mr. Knowles, who was counsel for the prosecution, called a number of witnesses, who proved that the house had been frequented by a vast number of disorderly women for about two years; twenty or thirty couple having been observed to go there daily. The indecencies exhibited in and about the premises, which were within fifty yards of a charity-school for females, in Cavendish-court, Houndsditch, compelled the neighbouring inhabitants, from motives of decency, either to block up their windows, or keep their shutters continually closed. The house at length came under the cognizance of the parish officers, who applied to the elder prisoner to shut up her house, and desist from such practices; she refused to comply, saying she had no other means to obtain a livelihood;—they then preferred the present indictment.

Mr. Knapp, for the prisoners, admitted the case to be proved, but argued that the daughter must be acquitted, she being included in the indictment as one of the owners or occupiers of the house, whereas she only acted as the servant of her mother.

The Recorder in summing up to the jury, stated, that the objections made by Mr. Knapp, must go for nothing, as the law in cases of this kind, held a person engaged in the management of a disorderly house, equally guilty with the renter, and that if a woman acted under the influence of her husband in such an occupation, the law would punish both equally.

The jury returned their verdict, finding both the prisoners guilty.

The Recorder then, with much emphasis and feeling, proceeded to pass sentence upon Ann Illiard the elder, in which he impressed upon her the necessity of reforming her life, as she could not, from her advanced age, have long to live; and desired her to reflect seriously upon the natural consequences of bringing up her daughter to such a scandalous, wicked, and shameful life, merely for the sake of gain. He then sentenced her to pay a fine of 150*l.* and to be imprisoned until it was paid. He then addressed himself to Ann Illiard the younger; and, after a suitable admonition, sentenced her to pay a fine of 50*l.* and to be imprisoned until she had paid it.

The daughter then begged to say a word or two to the Court, in which she declared her innocence; said she had only been to see her mother, whose line of life she lamented; and that she was unable to pay even 50*s*.—She added, that the names they went by were not their real names, and that the premises belonged to others, who let them to her mother at a weekly rent, and who had now abandoned her. She then retired, apparently overpowered by her feelings.

The mother seemed to be about sixty years of age, and the daughter about thirty; the latter was in deep mourning, as a widow—the mother was also in mourning.

TUCKER, THE MOCK PARSON,

Convicted at the Middlesex Sessions, the 2d of November, 1811, for swindling a Victualler of his Wine, and transported for seven years.

AN unusual crowd of very respectable persons assembled at an early hour in Court to see this clerical impostor, and to hear his trial. He was put to the bar about two o'clock, and charged with obtaining goods and money under false pretences, viz. by pretending to a person of the name of

William Edbrook that he was a Clergyman in Holy Orders, and Rector of Frome in Somersetshire; and, by means of these false pretences, obtaining from the said W. Edbrook three bottles of wine, and one bank dollar of the value of 5*s.* 6*d.*

Mr. Edbrook deposed, that he keeps the Quebec Arms, in Oxford-street. On the 1st of July, 1811, the prisoner came to his house, and entered into conversation with him; it was rather late in the evening. He asked him his name; and, hearing it was Edbrook, observed, that he was sure he was a west-countryman, as he knew many of that name in the west of England; adding, at the same time, he was a west-countryman himself, that his uncle was Recorder of Exeter, his name Tucker, and that he himself was Rector of Frome, in Somersetshire, and that he was also Curate of Park-street chapel; and that he was intimately acquainted with Sir T. D. Ackland, Bart. and to many personages of the first distinction; that he lodged at No. 42, Green-street, Park-lane. He then inquired if his wine was such as he could recommend; and upon being answered in the affirmative, ordered some wine to be sent the next day to him, as his father, sister, and some friends, were to dine with him; which being promised, he departed that night, and paid his reckoning.

The next day Mr. Edbrook sent to know whether the prisoner did actually reside at 42, Green-street, and whether he performed service in Park-street chapel; and his servant brought back intelligence that it was all true. He then sent two bottles of sherry. The next day prisoner called on him, and drank a bottle of port, but went away without paying for it, saying, however, that he would call the following day. The following day he did call; and, talking high as before, asked if he could have a bed there that night. Mr. Edbrook had no accommodation for him, as his house was all engaged, but he procured a bed for him in a neighbouring coffee-house, and he called in the morning after, and breakfasted at Mr. Edbrook's; when breakfast was over, he signified that he had no money about him less than a 2*l.* note, upon which he put on his hat and departed,

and witness saw no more of him till his apprehension at Bow-street.

Prisoner put several foolish interrogatories, none of which had any other tendency, but that of manifesting his guilt.

Benjamin Tedder said he was clerk to Park-lane chapel; that on the 22d of June last, the defendant came to him, and said he was appointed by the Rev. Mr. Clark, to assist him in the clerical functions at the chapel, and he accordingly attended the next day: he came in a gown, and was accommodated with a surplice by the witness; he went through the communion service; and, after the sermon, he administered the Sacrament to a considerable congregation.

The witness understood that the Rev. Mr. Clark had actually engaged the defendant, being imposed upon by him. He also performed the evening service of that day. In conversation with the defendant, he said he had a great number of invitations for each Sunday, and consulted with him which he should prefer, when the witness very honestly advised him to go where he should get the best wine and the best company.

Here ended the case in support of the prosecution.

The defendant being called upon, addressed the Court in a strain of considerable *cant*. He began by inveighing against the public journals of the country, and the prejudice which he said they excited against him; he next adverted to the caricature print shops, and complained of them; he was proceeding in this way, when Mr. Mainwaring recommended him rather to adduce something that would rebut the charge now made against him.

He then submitted that the prosecutor had not proved the delivery of the wine. This was admitted by the Court; but there remained the obtaining the dollar, and that the prosecutor gave into his hand himself. His objection in this instance availed him not, and he proceeded to appeal to the feelings of the jury, and was not a little successful with some of the auditory, for several ladies began to shed tears.

Mr. Mainwaring summed up the evidence, and left the

whole with the jury, who, without retiring from the box, brought in a verdict of Guilty.

The prisoner was found guilty on the second indictment; and the Court, having considered the various circumstances of his life, sentenced him to be transported for seven years.

RICHARD LOWE, alias LONG NED,

(A most infamous Villain.)

Sentenced to hard labour in the House of Correction, in Coldbath-fields, for an aggravated Assault upon a Surgeon at Chelsea.

AT the Sessions for the county of Middlesex, held the 4th of November, 1811, Edward Lowe was put to the bar, charged with an indictment for assaulting Mr. David Eccleton, of Church-street, Chelsea, on the night of the 23d of September, 1811.

Mr. Knapp stated, that Mr. Eccleton was a Surgeon and Apothecary living as above stated. That on the evening of the 23d of September last, he had dined at the Queen's Arms, Nine Elms; about ten o'clock he was proceeding from thence to visit a patient in Riley-street, in that neighbourhood, where he regularly attended twice a day. Whilst he was walking on the King's-road, and approaching the Man in the Moon public-house there, the prisoner came up to him, and interrupting his progress, laid hold of his arm, and asked him to go and drink with him. Witness made him no kind of answer, but was endeavouring to proceed on his way. This the prisoner completely prevented; and, still holding his arm, at length said he must give him something to drink, using violent language, when Eccleton, to get rid of him, put his hand in his pocket and gave him a shilling. Having done so, he hastened from him as quickly

e was able. Instead, however, of going on to Ryley-
et, he turned down Chapel-row, (a contrary way) in his
n, and desired to avoid so desperate a person as he
idered the prisoner to be. After he had gone some
down Chapel-row, he stopped to listen whether the
ner was following him or not, and not hearing any
teps, he concluded that he had turned off another road;
then Mr. Eccleton returned back with a view to proceed
yley-street, as he had first intended; but as soon as he
again reached nearly to the former public-house, he
d a voice cry out, "There's the villain, take hold of
" and observed a man approach him, and took to his
again, and ran away as fast as he could, when there
a loud shout of "stop him; but in running he fell down,
a man came up and laid hold of him, then the
ner immediately joined them, and having used him
very great violence and barbarity, then, for the first
, accused him of several abominable propensities. It
n vain he denied the accusation; he was only the more
reated: at length he got out of their hands, and ran
with all the speed he could; but in leaping over a
g he fell quite exhausted, and they again came up to
and were proceeding to repeat their barbarity, when a
of the name of Curtis, hearing the noise, ran to the
from whence he heard it, accompanied by his wife, and
recognized Mr. Eccleton, whom he had known many
. He interfered on his behalf, and having, in conjunc-
with Mrs. Curtis, rescued him, he at length departed.
ppeared, that when Mr. and Mrs. Curtis came up, Mr.
ton told them how he had been treated, and added,
he prisoner had stopped him, and obtained a shilling
him, as before mentioned; to which the prisoner
ered, by charging Mr. Eccleton again and again with
ul offence first alluded to.

. Eccleton's testimony was corroborated in various
s by the evidence of Mr. and Mrs. Curtis, Mrs. Clarke,
keeps the public-house,) and two persons of the names
e and Hurd.

the prisoner, Mr. *Andrews*, in a very ingenious and

elaborate address, appealed to the jury, the principal bearing of which went to the improbability of the prosecutor's story—but he called no witnesses.

Mr. Mainwaring summed up the evidence with appropriate and argumentative comments. The jury hesitated some time in their box, and at length they retired and brought in a verdict of Guilty.

Mr Mainwaring animadverted in strong language upon the vileness of the crime of which the prisoner was convicted. He congratulated the jury upon their verdict, and the county upon the discovery and conviction of the offender, as the punishment of such a miscreant might have the operation of preventing the repetition of such wicked conduct. He lamented that the way in which the indictment was framed prevented him from sending the prisoner at once out of the country.—The sentence of the Court was, that he should be imprisoned one year in the House of Correction, Coldbath-fields, and there kept to hard labour. That at the expiration of that time, he should find securities to keep the peace for two years, himself in the penalty of 20*l.* and two sureties in 10*l.* each, and to be imprisoned till that security be given.

The prisoner was immediately hand-cuffed and removed. It seems he is one of those fellows who work in the brick fields in that neighbourhood; and, according to Gilmore the officer, he goes by the name of Long Ned.

WILLIAM HEBBERFIELD, AND PAUL WHITEHEAD,

Convicted at the Old Bailey, the 2d November, 1811, and sentenced to Death, for forgery.*

WILLIAM HEBBERFIELD stood capitally indicted for feloniously forging, and, in a second count, for uttering

* The number of persons prosecuted for forged notes of the Bank of England, and for uttering, or having them in their possession, know

knowing it to be forged, a certain 2*l.* note, with intent to defraud the Governor and Company of the Bank of England. Forgeries of their notes to a most enormous amount had been for a considerable time going on, the authors of which the Company were not able to discover. The prisoner was confined in Newgate, under a sentence of two years' imprisonment, by the Court of King's Bench, on a conviction for conspiracy, in aiding the escape of the French General Austin, a prisoner of war in this country upon his parole. There was also a prisoner named Barry, confined in the House of Correction at Clerkenwell, on a sentence of six months' imprisonment, for uttering counterfeit dollars. Mr. Weston, the principal clerk of Messrs. Gay and Freshfield, Solicitors to the Bank, went to Barry in prison on Monday, the 23d September; and, in consequence of a plan then concerted, he gave Barry 8*l.* in Bank of England notes, which he previously marked with the letter W; he then accompanied Barry in a coach, together with one of the turnkeys, named Beckett, to Newgate, where Barry went in, and directly, without communicating his purpose to any one, to the room of the prisoner, where there were a number of persons with him. He went directly up to the prisoner, gave him six one-pound notes of the marked ones he had received from Mr. Weston, of which the prisoner returned him three, saying he had not enough of the other notes ready until to-morrow, and then gave him in lieu of the three notes he kept, forged notes to the nominal value of six pounds. With these Barry immediately returned to Mr. Weston, who waited in the street, and immediately Beckett went in, accompanied by Brown and another officer, to the prisoner's chamber, where Beckett asked him to produce what property he had about him. Upon which the prisoner produced from one

---

them to be forged, from the year 1797 to 1811 inclusive, have been 471. The number of persons prosecuted for counterfeiting the tokens issued by the Bank of England, or for uttering the same, have been in 1804, eight persons; 1805, none; 1806, two; 1807, none; 1808, one; 1809, nine; 1810, six; and 1811, twenty-three.

pocket a handful of gold, from another a pocket-book, filled with Bank notes, from another a quantity of loose Bank notes, and he also produced a stocking stuffed with the like currency. Beckett, on examining these notes, and not perceiving amongst them any of the marked ones he sought for, told the prisoner he had some more, and desired him to produce them. Upon which the prisoner took some other notes from his side pocket, and laid them on the bed where he was sitting. Beckett took those up. They were the marked notes; he said these were what he wanted, and returned the prisoner the rest. Upon which the prisoner, probably prophesying his purpose, snatched the notes, and thrust them into the fire. Beckett's assistant, bowever, rescued them from the flames, and they were proved to be the same which Barry had paid him just before, and the notes Barry received in lieu were also proved to be forgeries.

The prisoner was found guilty—Death.

PAUL WHITEHEAD, a man of genteel appearance, was next tried for forging the name of Thomas Gullan, an acceptor of a bill of 87*l.* 10*s.* and thereby defrauding Messrs. Robarts, Curtis, and Co. The prisoner was formerly a Bank clerk in the Cashier's office, which situation he had left some time. On the 3d of May, 1811, he introduced himself to Mr. Robarts, and requested his favour to discount a bill of 87*l.* 10*s.*—Mr. Robarts expressed surprise at being asked a favour of the kind by a stranger, which surprise, however, was diminished, when the prisoner mentioned the name of a respectable gentleman in Mr. Robarts's office, and consequently he got money for the bill. The prisoner represented himself as having acted imprudently, and caused temporary embarrassment, and that he had been obliged to sell his horse and chaise to Mr. Gullen, who had given his acceptance at two months. He added, that he should render himself liable to lose his situation in the Bank in the event of not getting the bill cashed. It turned out to be a forgery on its being presented, and such being proved, the prisoner was found guilty—Death.

THE STOLEN CHILD.

THIS was a very singular and mysterious affair. It greatly excited public curiosity; and though every means was taken, even to the proclamation of the Lord Mayor of London, offering a reward for the recovery of the lost infant, and describing the person and dress of the woman suspected of this very curious kind of theft, yet the offender with the stolen boy long remained undiscovered. The woman was described to have been genteelly dressed, and that she had purchased some pastry to treat the child, and also a hat and feather for it, at a hatter's shop, on Fish-street-hill.

Suspicion fell upon an innocent lady, the wife of a surgeon in the Navy, and, sad to relate, she was brought before his Lordship, who, after two examinations of several witnesses, all of whom it will be found, mistook her person, committed her for trial at the Old Bailey. It is true she was acquitted, but what alleviation could be offered to her feelings—what reparation made to an injured husband and distressed relatives?

The trial of this lady, whose name it would be indecorous to mention, discovered the whole proceedings of this very singular offence; just as practised by the guilty woman, who we shall soon introduce to the reader; and which were to the following effect.

Mary Cox, who keeps a green grocer's and fruiterer's shop, in Martin's-lane, Cannon-street, deposed, that about half past ten o'clock on the morning of Monday the 18th of November, 1811, Mrs. Dellow, the mother of the lost child, came to her shop, told her she was going to consult a medical gentleman on some complaint in her eyes, and left the little boy and another child, his sister, in her care, until her return. The witness was sitting shortly afterwards with one of the children on her knee, when a lady answering to the prisoner's description, came in, and called for two-penny-worth of apples. She put down the child, and served her. Immediately afterwards some other person came in for some of her merchandize, whom she also

served. She then missing the children from the door, called them to come in, but neither answered. She ran into the street, but could not find them. Alarmed at this, she went up the street, and called frequently Rebecca (the little girl's name,) but received no answer. After a short time she saw the little girl, without her brother, returning down Fish-street, having an apple and a small plumb-cake in her hand. She asked her who had given her them, and where her mother was? The child replied, she had got them from the lady who just before, had bought the apples at her shop, and had taken her little brother with her to his mother. The woman made every inquiry about the neighbourhood, but could find no satisfactory traces of the lady. Witness could not, however, positively swear to the indentity of the prisoner.

Two witnesses from a pastry cook's shop, on Fish-street-hill, the one a shop-woman, and the other the daughter of the master, proved, that on the morning, and about the hour stated, a lady, attired in a dark gown, blue cloth cloak, and black straw bonnet and feather, came into the shop with two children; one the little girl now produced in Court, and the other a little boy about four years old. They had neither hats nor tippets on, and the boy had his hair turned up on one side of his forehead, answering to the description of the lost child. The lady bought some buns, of which she gave two to each of the children, and immediately went out with them. Both these witnesses looked at the lady, and felt every reason to be convinced she was the same person, although she was now dressed quite differently, being attired in a scarlet cloth cloak, and figured silk *coissure*.

The uncle of the child stated, that having heard his brother's little son had been stolen, he made every enquiry into the circumstances, and round the neighbourhood, in order, if possible, to discover some clue to the person who had taken off the child. He learned what had occurred at the pastry-cook's: and afterwards was informed at the shop of Mr. Shergold, a hatter, on Fish-street-hill, that a lady answering the same description, had purchased the same morning a hat and feather for a little boy, whose appearance

agreed with the person of little Dellow; but all farther inquiries were in vain, until some days afterwards, when a gentleman of his acquaintance, to whom he related the story, told him of a woman who lived at a house in Trafalgar-place, Southwark, whose person corresponded with the description he gave. Thither he went, accompanied by a police officer from Union-hall, and one of the young women from the pastry-cook's. Unwilling to excite any alarm, he first rapped at the door, and enquired if Mrs. B——— was at home; and was told she was not by the person who opened the door. He said he would wait for her, and he was shewn up stairs to the front apartment of two which the lady occupied. After waiting a few minutes she came in. He engaged her by some conversation, still casting his eye about for some tracts of the child, but saw none. He asked if she had not another apartment, to which she answered, "Yes," and shewed him into the next room. He discovered no clue there to his object. She then asked him who the persons were who waited below stairs? He said they came with him; and, requesting her not to be alarmed, told her the nature of his business, and asked her if she had any objection to see and speak to the girl from the pastry-cook's shop? She answered she had no objection to see any person upon the subject. The girl was then called up stairs, and on seeing and hearing the defendant speak, said she was the very person. The witness cautioned her at the time to be very circumspect, but she was positive as to the defendant's identity. The witness again requested the lady not to be alarmed; but told her it would be necessary for her to accompany him with the officer to the hatter's shop before-mentioned. She came without hesitation; but at the hatter's, the female who had sold the hat and feather, could not speak positively to her person, but merely to her size; and she herself positively denied having ever been either at the hatter's or the pastry-cook's. She was, however, held in custody, and her apartments afterwards searched, but no such cloak or hat as those described to have been worn by her on the former day, nor as that said to be purchased for the child,

were discovered, nor any thing that could give any information respecting her.

The lady positively denied any knowledge of the transaction, and added, that she was confined within her lodgings by illness the whole of the day, and the two days preceding this transaction, except going out on the Monday afternoon about four o'clock; and this, she said, could be proved by two witnesses; the owner of the house where she lodged, and another female, who is also an inmate.

John Mills, formerly a soldier in the Guards, deposed, that he plied as porter in Thames-street. On the 16th of November he saw the prisoner driving two little children before her; the eldest seemed reluctant to go, and the prisoner took the youngest in her arms, and said she was going to buy cakes for them. Witness walked after them to the end of the street, his attention being attracted by the prisoner "rather snubbing them." Shortly afterwards he saw the little girl return alone, with some cakes in her hand. He was positive as to the person of the prisoner at the Bar.

The prisoner fell on her knees, attested heaven to witness her innocence, and fervently prayed that she might never rise with life from the posture in which she was, if she had any knowledge whatever of the child, or of the act imputed to her.

Several witnesses were then examined to the prisoner's character, who all bore testimony to her general good conduct.

The Recorder, in summing up the evidence, observed, that there was nothing to fix the prisoner with guilt but her identity; he then instanced a case in which six witnesses had sworn to the person of a gentleman, as having committed a robbery at Hampstead, who afterwards proved, to demonstration, that he was in London at the time at which it was said he had been guilty of the offence imputed to him. Having then adverted to the *alibi*, proved on the part of the prisoner, he exhorted the jury to divest their minds of all prejudice, and form their judgment wholly upon the facts before them. If they had any doubt as to her guilt, her good character ought to be thrown into the

scale of mercy—if, on the contrary, they were fully convinced of her criminality, they would return a verdict accordingly.

The jury, after a short consultation, returned a verdict of —Acquittal.

Several females were carried out of the Court in a state of insensibility during the trial, from the crowded state of every part of it. The trial lasted from 5 until nearly 10 o'clock.

At length this mystery began to develope. The first information received in London, was from a Magistrate in Gosport, acquainting Mr. and Mrs. Dellow of the discovery —that their child was safe there, and ready to be delivered to its parents. The father instantly set off, and was once more blessed by enfolding his infant in his arms.

Soon after Mr. Dellow's return home with his son, he was required to appear with him, before the Lord Mayor of London, where he found William Barber, the keeper of the Gosport Bridewell prison, ready to give evidence against a woman of that town of the name of HARRIET MAGNIS; in whose possession the child was found.

This man informed his Lordship, that having seen a hand-bill describing a child lost or stolen from London, he got information that this child was at Gosport, that he communicated the same to the Magistrate, who granted him a warrant to bring the woman and child before him for examination, that he went to the lodgings of Mrs. Magnis, who lived in a very respectable way, that he asked her if she had a child; she said she had; he then asked her if it was her own, to which she replied rather faintly, that it was; but upon his saying that he doubted it was not her child, and desired to see the child, she took him very readily to the room where the child was in bed, and confessed to him that the child was not her own, and that she had found the boy in London, and said she had taken the greatest care of him, and had bought him a great many clothes, which she produced; being taken before a Magistrate, she confessed every thing. The keeper handed a copy of her confession and examination at Gosport, to his Lordship. Mrs. Dellow

was present with the little boy: she gave an account to Lordship that her husband had brought her child home a and well, though not quite so lusty. The Lord Ma said he must remand the prisoner for further examinati but wished to know in the mean time if she had any th to say for herself; she said she was willing to do any thi and confessed she had taken the child from a little girl, said it was to please her husband, and was very sorry for and seemed very much affected. She was very genteel dressed, and much resembled the woman who was tried this offence, as she had on a dark green mantle trimm with fur, and a straw bonnet; she was asked if she k any thing of M. Rusten; but she said she did not. She committed to the Poultry Compter for further examinati —The crowd which assembled round the Justice-room see this woman and child was so great, that they w obliged to keep the doors shut.

On her second examination, it appeared, that a wo at Gosport observed a neighbour of hers in possession a boy, bearing the marks described, and answering to the of three years old. She immediately thought it Thomas Dellow, who had been so long missing; the s so, as she had reason to believe that she pretended to had never borne a child. She communicated her suspic to the gaoler, and he to the nearest Magistrate, who for Mrs. Magnis, the pretended mother. The moment was interrogated on the subject, she confessed the w affair, and her motive for the robbery; that Magnis husband, who was a gunner on board one of his Majes ships, and had saved a considerable sum of money f man in his situation of life, was extremely partial to child and had often expressed his most anxious wish to ha little darling, as he used to term it. His wife, not anxious to gratify him in this respect, wrote to him wh sea, that she was in the family way. The gunner, hi delighted that he had obtained his desired object, sent h the earnings of many a cruize, amounting to 200l. a particular charge that the infant should be well rig and want for nothing: if a boy so much the better.

The next letter from his hopeful wife announced the happy tidings that his first-born was a son: and that she would name him Richard, after his father.—The husband expressed his joy at the news, and counted the tedious hours until he should be permitted to come home to his wife and child.

At home he at length arrived, but at an unfortunate time, when the dear Richard was out at nurse, at a considerable distance; change of air being necessary to the easy cutting of his teeth. The husband's time being short, he left his home with a heavy heart, without being able to see his offspring; but he was assured that, on his next trip to Gosport, he should have the felicity he had so often pined for, of clasping his darling to his bosom. It was not until November last that he was at liberty to revisit home, when he had again the mortification to find that his son, whom he expected to see a fine boy of three years old, had not yet cut his teeth, or that he was from home on some other pretence. The husband, however, was not to be pacified thus; he would go and see his son, or his son should come to him. Mrs. Magnis, finding him determined, thought the latter much the best way; and accordingly set off to fetch the boy. The Metropolis occurred to her as the market best calculated to afford her a choice of children; and passing down Martin's-lane, she was struck with the rosy little citizen, Tommy Dellow, and at once determined to make him her prize. He was playing with his sister at the green-grocer's shop-door, into which Mrs. Magnis went, with the double view of purchasing some apples, and carrying off the boy. She made much of the sister, caressed the boy, and gave him an apple. The children being pleased with her attention, she asked the little girl to shew her to a pastry cook's shop to buy some cakes, whither she took both the girl and the boy. She got clear off with the latter, and left the girl behind. Magnis, supposing all his wishes realized, was made truly happy.

It is no exaggeration to say, that poor Magnis felt a paternal affection for the boy; and that when the imposition was discovered before the Magistrate, he was grieved to the

heart at being obliged to part with him under all the circumstances of the transaction.

Harriot Magnis was committed to Winchester gaol;* and was brought to trial for the offence at the Assizes for Hampshire; and, after many arguments urged by counsel on both sides, it was agreed the offence was committed in London, and not in Hampshire, consequently she was—Acquitted!!!

TRIAL AND EXECUTION OF THE MUTINEERS AND MURDERERS OF THEIR OFFICERS,

While making an English Port, in a French Prize Brig.

AT a Court Martial held on board his Majesty's ship Salvador del Mundo, in the Hamoaze at Plymouth in December, 1812, these inhuman seamen were tried for one of the foulest, unprovoked, and desperate murders, which ever disgraced the British Navy.

It appeared in evidence, that Joachim, a Portuguese; Martin, a black, belonged to the Diana; Millington, an Irishman; and Williams, an Englishman, belonged to the Growler gun-brig; Baptist, another black, concerned in the murder, drowned,—with two other seamen, named Boyd and Grant, admitted as evidence against them, were put on board the French prize, brig Le Suir Maree, along with the three persons they murdered, viz. Mr. Andrews, Master's Mate, Mr. Bolen, Quarter-master; and Mr. Windsland, Steward, a passenger, and that, after in vain attempting to carry the vessel into an enemy's port, they were again fell in with by the Diana and Aquilon frigates, and brought to Plymouth in irons.

After the Court had been duly sworn, the first witness called was Boyd, who deposed, that, on the 25th of November,

---

* This we thought at the time a strange kind of commitment—a prisoner to be tried in Hampshire for an offence committed in the City of London.

himself, with Grant, the prisoners, the black since drowned, and the three missing people, were put on board the brig, and directed to proceed to Plymouth, which they did, until the night of the 29th, or morning of the 30th; when off Scilly, the diabolical plan was put in execution. That he and Grant had the first watch, from eight to twelve, and were relieved at twelve by some of the prisoners. That at about three o'clock he was called by Joachim, but he did not attend to him;—that he was called a second time, when he went upon deck, where he was told by Joachim and Baptist, they had taken the vessel, and intended to take her to France, and if he would join them he might;—this offer he peremptorily refused, and called for Bolen, who did not answer; he called again, and was answered by one of the prisoners that he was dead; horror instantly struck him to the soul: he, however, called for Grant, who answered very low; on which Joachim told him, as he was a poor seaman like himself, he might go below and they should not hurt him: that he then went down the steerage into the cable-tier, where he found Grant, who had been previously called up, and asked the same question. Here their situation must have been truly dismal, expecting every moment to be murdered also! They were kept as prisoners by the negro Martin, who stood over them with Mr. Andrews's sword. Boyd farther stated, that there was only a sliding door which parted them and the cabin, where they saw a body covered over with a quilt, and lying on the floor, which was afterwards removed on deck, and thrown overboard. That in the morning, at day-light, they heard a voice on deck say, two sail in chase, and about eight o'clock they heard the boat lowered from the stern, and row off. That, after the boat was gone, Boyd looked on deck, and perceiving only Baptist, Millington, and Williams, he said to Grant, "Now is our time to go on deck, and throw the black (Baptist) overboard, and secure the other two;" with which Grant complied, and they both went up:—by this time the vessels were near them, and they were about seven miles from the Saints Island, standing quite upon the

land; for some time they (the witnesses) appeared to take no notice; but on Boyd observing the fore-top bowline loose, he desired the black to haul it taught, and he went to assist, hoping to get an opportunity to throw him overboard; but, not finding an advantageous opportunity then, he walked behind him toward the stern, and, observing the main mast topsail-sheet gone, he desired him to haul that taught. When the desired moment arrived, he seized the black, and threw him outside the bulwark, where the fellow clung with his hands to the rigging, and with his teeth almost bit off Boyd's thumb. On Grant observing this, he ran to Boyd's assistance, and struck the black on the head with a stick, and knocked him overboard. That he (Boyd) then went to the helm, seized Millington, tied his hands, and set him on the deck;—that Grant, at the same time seized Williams, and set them side by side on the deck, when they stood the vessel off the land, to near the frigate, and to avoid the black who was still swimming. That the Aquilon's boat boarded them soon after, when he related to the Lieutenant what had happened, and was then taken on board the Diana.

The next witness called was Grant, who deposed exactly to the same effect. Both of them gave their evidence in the most clear and steady manner.

The prisoners stated no cause that led them to commit this diabolical act. They were of course found guilty, after a most patient investigation, which accordingly were sentenced to suffer death on board such ships, at such time, as the Lords commissioners of the Admiralty shall be pleased to direct.

The awful sentence, although read in the most impressive manner by the Judge-Advocate, had not the smallest effect on any one but Millington, who cried much, for which he was jeered by Williams, who told him that hanging was nothing but choaking!

The President, before dismissing the Court, took the opportunity of returning thanks to Boyd and Grant, for

their obtave and seaman-like conduct while in such a perilous situation; and said, he hoped it would never be forgotten by those present, and that their high and meritorious behaviour deserved the greatest praise.

They were hanged from the yard-arm of a vessel at war.

MOST HORRIBLE MURDERS AND SUICIDE.

THE metropolis—we may correctly say the whole nation was never before so completely horror struck, at any private calamity, as those of the daring and inhuman murders perpetrated in the very heart of the City of London, on the close of the year 1811.

On a dark evening in the beginning of the month of December; about the time when tradesmen are shutting up their shops, Mr. Marr, a respectable draper, sent his servant maid, to purchase some oysters for the family supper. Mr. Marr was in the act of placing goods, which had been exposed to the view of customers on the counter, upon their shelves. The girl left the shop door a-jar, expecting to return in a very few minutes; but unfortunately the nearest place of sale for oysters had disposed of the whole, and she went therefore farther on her errand. Mean time two or more ruffians entered the shop, shut the door, knocked down Mr. Marr, and cut his throat. Next they seized his shop boy, and murdered him. Mrs. Marr was in the kitchen, hushing her babe on her lap, to sleep. Hearing an extraordinary noise and scuffling above, as was supposed, she hastily laid the child in the cradle and ran up stairs, where she was met by the blood-thirsty monsters, seized, and instantly murdered in the same way they had dispatched Mr. Marr and the boy.

The child, disturbed with being hastily laid down, cried loud, and the villains, doubtless apprehensive that it would

cause an alarm—more horrible still to relate, descended, and cut its innocent throat, so as nearly to sever its tender head from the body.

By this time, the girl returned with the oysters, and finding the shop door shut, rang the bell; but no person answered. At this instant a watchman passing on his round, asked what she did there; and, being answered, he pulled the bell with violence. This so much alarmed the villains, that they made a precipitate retreat through a window of the back part of the house, across some mud, and along an intricate way, which no one that had not previously reconnoitered the situation, could have readily found.

The watchman, finding the bell still unanswered, went to the next door neighbour, and gave an alarm. Some three or four men collecting together, it was determined to scale the wall which divided Mr. Marr's back premises from those of the adjoining house. This was done without much loss of time, and there was presented the most woeful scene that, perhaps, ever disgraced human nature. The body of Mr. Marr and his shop boy, the latter appeared from evident marks, to have struggled for life with the assassins, near each other; that of Mrs. Marr in the passage; and the infant in its cradle, all dead, but yet warm and weltering in their blood. The horrible scene for a moment petrified those who first entered; and they naturally feared the murderers might still be in the house plundering the property therein. They opened the street door, and called out an alarm of murder, which spread with such rapidity, that the neighbourhood was very soon in an alarm. The nightly watch mustered, and the drum of the melancholy beat to arms—in fine, though now near midnight, so great a crowd assembled, that it was necessary to shut the doors, while some one explained the cause of the alarm, to those in the street.

The Coroner's Jury, sitting upon the inquest of the death of this unfortunate family, brought in their verdict, 'Guilty of wilful murder against some person or persons unknown!'

The interment of Mr. and Mrs. Marr, and their infant son,

...day, the 15th of December, 1811, at St. ...'s Church in the East.

... procession entered the aisle of the church in the ...ing order:

The body of Mr. Marr;
The bodies of Mrs. Marr and infant;
The father and mother of Mr. Marr;
The mother of Mrs. Marr;
The four sisters of Mrs. Marr;
The only brother of Mr. Marr;
The next in relationship to the deceased;
The friends of Mr. and Mrs. Marr.

... the church ceremony the corpses were conveyed ...e burial-ground, and deposited in one grave. ... immense crowd attended, but the utmost decorum ...ed.

... body of the unfortunate shop boy was interred by ...sons.

In murder's annals shall we find
A deed so savage in its kind?
So formed to rend the feeling heart,
And bid the soul with horror start;
Yet force that very heart to own,
'T was well that neither fell alone.
Yes, it was well—the husband's bier
Drank not the widow's frenzied tear:
Nor did her blood-stain'd beauty crave,
Like anguish, o'er her early grave:
Nor were their mingled sorrows shed
On their sweet babe's ensanguin'd head.
One doleful moment's matchless woe,
One dire unutterable blow,
And all was past—concerted there
Fled the last sighs of sorrow and despair.
Trust we, in that tremendous hour,
Almighty Mercy's soothing pow'r,
O'er the pale victims shed a ray,
The harbinger of endless day:
Then bade th' unfetter'd spirits rise,
To sudden glory to the skies.

...uld that our sad tale of blood had ended here! It is ...inful task to record another instance of human

atrocity, and in universal belief, committed by the same relentless monster—another family doomed to the same horrid death; and who resided a very short distance from the spot where lived the late unfortunate Mr. Marr!!!

Scarce had the horror excited by the mysterious and barbarous destruction of those unfortunate persons subsided, when the neighbourhood in which they resided became again a scene of confusion, horror, and dismay; and, by the spectacle which was presented on Thursday night, the 19th of December, 1811, a new and irresistible feeling of alarm pervaded all the inhabitants, lest some of their domestic circles should next become the objects of midnight assassination.

The circumstances of the horrid event to which we allude, as far as we have been able to collect them, from the most minute inquiry and investigation, are as follows:—On Thursday night, the 19th of December, 1811; shortly after eleven o'clock, the neighbourhood of New Gravel-lane was alarmed by the most dreadful cries of "Murder!"—crowds of individuals resident on the spot soon collected around the house whence proceeded the appalling sounds! Opposite the King's Arms public house, at No. 81, Gravel-lane, numbers soon collected, and immediately it was ascertained that the cries which had excited such general alarm came from a man who was seen descending, almost in a state of nudity, by a line formed by the junction of two sheets, from the two-pair-of-stairs window, in the house in question!!—On reaching the extremity of the sheets, which was nearly eight feet from the ground, he was assisted by the watchman, who caught him in his arms, when he cried out, in the greatest agitation, "They are murdering the people in the house!"—These words were no sooner uttered than a short consultation was held by the people assembled, and it was at once resolved that an entry should be forced into the house, through the cellar flap, which was shortly accomplished, and a man named Ludgate, a butcher, living in Ashwell's buildings, Gravel-lane, and Mr. Hawse, and a constable, entered; and almost at the same moment a gentleman, named Fox, obtained an entrance

through some wooden bars at the side of the house, with a cutlass in his hand. On looking round the cellar, the first object that attracted their attention was the body of Mr. Williamson, which lay at the foot of the stairs, with a violent contusion on the head, his throat dreadfully cut, and an iron crow by his side; they then proceeded up stairs into the parlour, where they found Mrs. Williamson also dead, with her skull and her throat cut, blood still issuing from the wound, and near her lay the body of the servant-woman, whose head was also horribly bruised, and her throat cut in the most shocking manner.

As the examination of the witnesses, however, who related the particulars of the dreadful catastrophe before the Magistrates of the Shadwell Police-Office, may be more satisfactory to our readers than a general detail of the facts, we shall proceed to state them:—

Mr. Anderson was first examined; he deposed that he was a constable; he knew Mr. and Mrs. Williamson; they were characters highly respected in the neighbourhood, and for the space of fifteen years kept the King's Arms public-house, which was the resort of foreigners of every description. At eleven o'clock every night they invariably closed up their house. On Thursday night, the 12th of December, 1811, Mr. Williamson adopted the same plan. Ten minutes before eleven, witness called for a pot of beer. Mrs. W. drew the beer, and said to him, "You shall not carry the beer home, I will send it." During the time she was drawing the beer, Mr. W. who was sitting by the fire, said to Mr. Andrews, "You are an officer, there has been a fellow listening at my door, with a brown coat on; if you should see him, take him into custody, or tell me." Mr. A. answered, "He certainly would, for his and his own safety." These were the last words Mr. A. mentioned, and then retired. Witness lived next door but one to the deceased; between twenty and thirty minutes after he left the King's Arms, he intended to go for another pot of beer; as soon as he got out of his house he heard a noise, when he saw the lodger lowering himself down into the street by the

sheets. He ran into the house for his staff, and proceed to the spot. The watchman caught the lodger in his ar when witness and others broke the cellar-flap open; they then entered, and began to look round the cellar; on com to the staircase, they saw Mr. Williamson lying on his ba with his legs upon the stairs, his head downwards; by side was an iron instrument, similar to a stone-mason's ch about three feet long; in diameter three quarters of inch; it was much stained with blood. Mr. William had received a wound on the head, his throat was dreadfu cut, his right leg was broken by a blow, and his h severely cut. From these marks of violence, witness posed Mr. W. made great resistance, being a very powe man. While witness and others were viewing the body petrified feelings, they heard a voice crying, "Wher the old man?" At these words, they proceeded up into sitting-room, when they saw Mrs. Williamson lying on left side; her skull was fractured, and her throat cut, bleeding most profusely; near to Mrs. Williamson was servant-woman, lying on her back, with her head under grate; her skull was more dreadfully fractured than tha her mistress, her throat most inhumanly cut, and both the bodies were cold. Witness then stated that the mises were afterwards examined, and it was discov that the murderers had made their escape from a back win looking into a piece of waste ground belonging to London Dock Company. The sill of the window stained with blood, and the sash remained thrown up. distance which the villains had to jump did not exceed e feet, and the ground beneath was soft clay, so that could sustain no injury even had they fallen. From waste ground in question there was no difficulty what in escaping, as it communicated with several bye-street

John Turner, the man who escaped from the window who was a lodger in the house, deposed as follows:

"I went to bed about five minutes before eleven o'cl I had not been in bed more than five or ten minutes be I heard the cry of "We shall all be murdered," wh

s, was the cry of the woman servant. I went down
nd I saw one of the villains cutting Mrs. Williamson's
nd rifling her pockets.
mediately ran up stairs; I took up the sheets from
and fastened them together, and lashed them to the
ts; I called to the watchman to give the alarm; I
ging out of the front window by the sheets; the
an received me in his arms naked as I was: a
wd had then assembled opposite the door: as soon
upon my legs, the door was forced open; I entered,
nd the bodies lying as described. There was
lodged in the house but myself, except a grand-
r of Mrs. Williamsons. I have lived in the house
ght months, and during that time, I have found them
e most peaceable people that could keep a public-
The man whom I saw rifling Mrs. Williamson's
as far as I could see by the light in the room, was
is feet in height, dressed in a genteel style, with a
ark loose coat on. I said nothing to him; but,
I ran up stairs, and made my escape as already
ted. When I was down stairs, I heard two or three
reat sighs, and when I was first alarmed, I heard
y the words, 'We shall all be murdered!'—Turner
deposed, that at the time he went to bed, Mrs.
nson was on the stairs, taking up a silver punch ladle
atch, which was to be raffled for on the Monday
ng, into her bed room for security."
grand-daughter, alluded to in Turner's evidence,
affected, that the Magistrates asked her but few
es.
when appeared from general report, that Mr.
nson had been robbed of a watch, but whether any
had been taken from him was not known. The
name of the watch is said to be James Catchpole.
persons were taken into custody on suspicion, one
m was discharged, but the other, an Irishman, who
prehended with a jar of spirits in his possession, was
fed for a second examination, not however from any
on that he committed the foul deed, but on account

of his prevaricating in his statement, as to the manner in which the spirits came into his possession.

The wounds on the heads of the unfortunate sufferers were evidently inflicted by an iron bar; and from their position, as well as from the cuts on the throat, one of the murderers appears to have been left handed. The under part of the house is a skittle-ground, next to the entrance of which is the cellar-door, by both of which entries it seems that the villains attempted to escape, as marks of blood were discovered upon them. During the time the horrid deed was perpetrating, a public-house, almost adjoining, was filled with people drinking, and a few doors on the other side is a rendezvous for seamen, all of which look into the waste ground alluded to.

On the first alarm being given, a picquet of the Tower Hamlets Militia, and several Volunteers, assisted by the inhabitants and the constables, made a most minute search in all quarters for the offenders, but without finding any person to whom they could affix suspicion.

The Churchwardens and Overseers of Shadwell parish held a meeting, and immediately advertised a reward of one hundred guineas for the discovery of the villains.

The Magistrates of Shadwell continued sitting the whole day, and the concourse of spectators before the office was equally numerous to that on the spot where the fatal murders happened.

The deceased Mr. J. Williamson was about fifty-six years of age; his wife, Mrs. C. Williamson, about sixty; and Bridget Harrington, the servant-woman, fifty years of age.

The Coroner's Jury brought in the same verdict as upon the bodies of the Marrs: and their interment was conducted in a similar manner, to that of the first unfortunate family.

The consternation which pervaded the metropolis, in consequence of the repetition of the bloody deeds of Ratcliff-Highway, in the family of Mr. Williamson, it is impossible for our pen to describe. Seven persons murdered within the short space of twelve days, within the sanctuary of their dwelling houses, under the protection of the most vigilant Police in the world!!!—

had it been possible to apprise us of these dreadful visitations before the unfortunate victims were barbarously hurried into eternity, we should have regarded the statement as a chimera, as the phantasm of some wild visionary.

Amid this reiterated cry of horror among all ranks of people, the police-officers, who had been already on the alert, but had not, as yet, overtaken the murderers, by order of the Magistrates were all required to aid in search of the guilty. Many were apprehended on suspicion, on whom nought could be brought to criminate them. Hard as this might be upon the innocent, yet in such a case as this, suspicion oft falls upon the guiltless. The soul of man, harrowed up by the contemplation of such monstrous barbarity, almost impels each to suspect the other, until the mind resumes its empire over the passions, and calls to aid its wonted judgment and discrimination.

Of the many examinations which took place at the Shadwell Police-office, the investigations of Mr. Graham, of the Bow-street office, and many other active Magistrates, we shall select such as fix these most dreadful crimes upon a man of the name of John Williams, said to have been an Irishman, who evaded justice by committing the additional sin of SUICIDE!

This man, at length, was apprehended as one of the murderers, and on his examination, when John Frederic Ritchen, a Dane, also a prisoner under suspicion, as an accomplice stated, that he lodged in the same house with Williams for about twelve weeks and three or four days, but knows little of him, except as a fellow-lodger. On being minutely questioned, respecting his knowledge of two persons, a carpenter and a joiner (whose names, though known at the office, were for obvious reasons suppressed), as acquaintances of Williams—he said, that about three or four weeks ago, he saw them drinking at the Pear-tree public-house with Williams, and since that time has seen them there without Williams. On the night of the murder of the Marr family, a few minutes before Williams came home, there was a knock at the door, and he, the examinant, went down to open it, when he found the key had been

fallen from the beside of the bed, and he called up the mother of Mrs. Vermilie, the landlady, to come down and open the door. Hearing her coming down he went up to his own room, and, when there, heard her in conversation with a man, whose voice, he thinks, was that of one of the two men before-mentioned. A few minutes afterwards, Williams himself came in. This was almost half past one o'clock. One day last week—he believes, three or four days before Williams was taken up—he observed, that the large sandy coloured whiskers which had before formed a striking feature of William's appearance, had been cut off. About eleven o'clock on the day after the murders in the Marr family, the examinant went from curiosity, to examine the premises, which he entered and saw the dead bodies. From thence he returned to the Pear-Tree, where he found Williams in the back yard, washing out his stockings, but he did not tell Williams where he had been. On being asked by the Magistrates, why he did not tell Williams, the examinant answered, "He did not know—he could not tell." He was then questioned respecting his knowledge of the maul, and also the iron instrument, which is a round bar about an inch in diameter, between two and three feet in length, flattened at the end into the shape of a chissel, but not with a cutting edge, being apparently a tool for caulking. The maul, he said, resembled one he had seen about the Pear-tree public-house, but he could not identify it. A pair of blue woollen trousers, and also a pair of canvas trousers, were then produced, which had been found between the mattrass and the bed-cloaths of the hammock in which the examinant slept at the Pear-tree. The legs of the blue trousers had evidently been washed, for the purpose of cleaning them from mud, of which the appearance was still perfectly visible in the creases, that had not been effectually cleansed. These trousers were damp at the time of the examination; the canvas trousers were also damp, but they presented no particular appearance. The examinant stated, that both these pairs of trousers had formerly belonged to a person since gone to sea, and he had since worn them himself.

Mrs. Orr stated, that on the Saturday before Marr's murder, about half-past one o'clock in the morning, she was getting up linen, when she heard a noise about the house, as if a man was attempting to break into the house. She was frightened, and asked, "Who was there?" A voice answered, which she knew to be Williams, "I am a robber!" She answered, "Whether you are a robber or not, I will let you in, and am glad to see you." Williams retired, seating himself down till the watchman was calling the hour of past two o'clock; Williams got up from his seat, asked the landlady if she would have a glass? she assented, but as he would not go for it, she went to the Three Tuns public-house, and could gain no admittance. She returned, when Williams enquired how many rooms there were in her house, and the situation of her back premises. She replied there were three rooms, and that her back yard communicated with Mrs. Vermillee's house. The watchman came into Mrs. Orr's house, which Williams visited for some time. The watchman told Mrs. Orr that he had picked up a chissel by the side of her window. Williams run out unobserved at this information; soon afterwards he returned; the watchman was going, when Williams stopped him, and desired him to go to the Pewter, and get some liquor. The house was then open. While the watchman was gone for the liquor, Williams took up the chissel, and said, "D—n my eyes, where did you get this chisel?" Mrs. Orr did not part with it, and retained the instrument till the Monday following. Hearing that Williams was examined, she went to Mrs. Vermillee's, and shewed her the chissel.—Mrs. Vermillee looked at it, and compared it with the tools in Peterson's chest, when it was found to bear the same marks, and declared that it was taken out of her house. Mrs. Orr instantly delivered the chisel to the Magistrate's office, as being likely to trace to the villany. Mrs. Orr says she knew Williams for eleven weeks; he frequently nursed her child, and used to joke with her daughter, and once asked her whether she should be frightened if he came in the dead of the night to her bed side? The daughter replied,

"No, if it was you, Mr. Williams, I should not." So the mother and daughter thought Williams an agreeable young man, of a most insinuating address, and never thought he could be the man who would attempt to rob or murder.

Sylvester Drysdell was brought up, and informed by the Magistrate that the inquiries respecting the liquors found in his possession, turned out to be correct; therefore, on that charge he was exonerated; but, till he gave some account of the bloody breeches found in his possession, he considered it his duty, as a Magistrate, to commit him to the Tuesday following, which was accordingly done.

The Magistrates ordered the publication of the marks on the note found in the possession of Williams, for the purpose that any person having had such a note, or can all trace the private marks, may apply immediately to give every information thereon.

ONE

BANK OF ENGLAND, 1811.

No. 16755. To pay to Mr. Henry Hase, or No. 167
on demand the sum of One Pound.

269

——Goodwin.

1

1811, Aug. 23, London, 23, Aug. 1811.

For the Gov. and Comp.

£ ONE

of the Bank of England.

T. FROGGATT

And indorsed on the back of the note,

Golding to J. D.——7 | 12 11.

Mr. Capper, a Magistrate of Shadwell office, attended Mr. Vermillee in Newgate. Mr. Alderman Wood was on the Magistrates in the morning, and stated informati which was of great importance.

The ripping chissel which was found in Mr. Marr's ho was conveyed to Newgate, in order to be identified by

Vermillee. The conference was private, and continued till four o'clock in the evening. Mr. Vermillee gave testimony to the instrument, called a ripping hook, being among the chest of tools deposited in his house. We must here remind our readers, that the said ripping hook, about two feet in length, was found by the side of Mrs. Marr, and it is the same which Mr. V. has deposed that he knew perfectly well. The unfortunate person in confinement, has likewise given information of another man, whom he conceives must be concerned in the late inhuman murders.

The Magistrate immediately forwarded directions to the different officers to go in pursuit, and every exertion was used to find out the man alluded to.

As far as can officially be learned, there were only two men concerned in both of those atrocious murders. It was said a person of the name of Johnstone is likely to prove the circumstance on the next examination of Williams.

Williams previous to the murders had large red whiskers, which seem to have been cut off very recently before his apprehension, and his hair is cut in a different manner to what it was before; he is about five feet nine inches in height, of an insinuating manner and pleasing countenance, and is not lame, as stated in some of the Papers.

Vermillee, the landlord of the Pear-tree public-house, at which the supposed murderer lodged, will be liberated from the debtors' side of Newgate, and will be further examined.

John Williams was heavily ironed and confined in Coldbath-fields House of Correction.

For a considerable time after the perpetration of these sanguinary atrocities, these gentlemen devoted, without intermission, the whole of their time, from an early hour in the morning till midnight, to the incessant pursuit of the murderers. The number of persons dispatched in different directions, greatly exceeds what is known to the public; and the private intimations received so numerous as to justify a hope, that, by the laudable exertions of the

Magistrates and officers, the wretches who had thus outraged the peace of society, would be speedily brought to justice and condign punishment.

When the gaoler went to the room in the House of Correction in Coldbath-fields, where Williams was confined, in order to call him to his last examination before the Shadwell Police Magistrates, his body was found dead, hanging to a beam; thus adding to his manifold crimes that of self murder!

> "Those only wish to die, who fear to live,
> Fettered with guilt, reflection, and remorse;
> Made cowards by an age of former crimes:
> Hence this distaste of life, these desperate thoughts."

Of all the sins of mankind, we are taught to believe suicide is the most offensive to the Creator of all things. It is a crime engendered by cowardise, and its commission rests in those hands alone, whose hearts no longer can bear against the stings of conscience, the torments of jealousy, the fear of exposure, or the idea of being curtailed of accustomed luxury, rank, or power. The Canon law assures us, that Judas committed a greater crime in hanging himself, than in betraying Jesus Christ. Hence such law denies Christian burial to those who are guilty of suicide, concluding thence, that it is not lawful to inherit on earth from one who hath himself no inheritance in heaven.

On the last day of this fatal year, the remains of this sanguinary assassin, for, from the circumstances which have been developed, not a doubt can exist, but that he was a principal in the recent horrible massacres, were privately removed, at eleven o'clock at night, from the cell in Coldbath-fields prison, where he committed suicide, and conveyed to St. George's watch-house, near the London Docks, preparatory to interment. Mr. Capper, the Magistrate, had an interview with the Secretary for the Home Department, for the purpose of considering with what propriety the usual practice of burying suicides in the nearest cross-roads might be departed from in the present

stance, and it was then determined that a public exhibition should be made of the body through the neighbourhood which had been the scene of the monster's crimes. In consonancy with this decision, the following procession moved from the watch-house, about half past ten o'clock on Tuesday morning :—

Several hundred constables, with their staves, clearing the way.
The newly-formed Patrole, with drawn cutlasses.
Another body of constables.
Parish Officers of St. George's, St. Paul's, and Shadwell, on horseback.
Peace Officers, on horseback.
Constables.
The High Constable of the County of Middlesex, on horseback.

THE BODY OF WILLIAMS,

Extended at full length on an inclined platform, erected on the cart, about four feet high at the head, and gradually sloping towards the horse, giving a full view of the body, which was dressed in blue trousers, and a white and blue striped waistcoat, but without a coat, as when found in the cell. On the left side of the head, the fatal mall, and on the right the ripping chissels with which the murders were perpetrated, were exposed to view. The countenance of Williams was ghastly in the extreme, and the whole had an appearance too horrible for description.

A strong body of constables brought up the rear.

The procession advanced slowly up Ratcliffe-Highway, accompanied by an immense concourse of persons, eager to get a sight of the murderer's remains. When the cart came opposite to the late Mr. Marr's house, a halt was made for near a quarter of an hour. The procession then moved down old Gravel-lane, along Wapping, up New Crane-lane, and into New Gravel-lane. When the platform arrived at Mr. Williamson's late house, a second halt took place. It then proceeded up the hill, and again entered Ratcliffe-Highway, down which it moved into Cannon-street, and advanced to St. George's Turnpike, where the new road is intersected by Cannon-street. There a grave, about six feet deep, had been prepared, immediately over which the main water-pipe runs. Between twelve and one o'clock the body was taken from the platform, and lowered into the grave—immediately after which a stake was driven through it; and, the pit being covered, this solemn ceremony concluded

During the last half hour the crowd had increased immensely—they poured in from all parts, but their demeanour was perfectly quiet. All the shops in the neighbourhood were shut, and the windows and tops of the houses were crowded with spectators.—On every side, mingled with execrations of the murderer, were heard fervent prayers for the speedy detection of his accomplice or accomplices.

BENJAMIN WALSH, ESQ.

(Member of Parliament for Wootton Bassett.)

Convicted of feloniously stealing a large Sum of Money, from Sir Thomas Plumer, his Majesty's Attorney-General, and pardoned on a case reserved for the opinion of the Twelve Judges.

MR. WALSH had long been known in the city of London as a dashing mercantile character. In co-partnership with a Mr. Nisbett, about six years ago he contracted with the Chancellor of the Exchequer for the Lottery of fifty thousand tickets. This proved, to such a man as Walsh, a very lucky speculation. He rubbed off his debts by a statute of Bankruptcy; and he soon procured for himself a seat in the Parliament of his country!

The meeting of the creditors under the commission against Walsh and Nisbett, brought to light some of the *finesse* practised by Lottery contractors, and Lottery-office keepers; and which should be told to every innocent man in his Majesty's dominions. The bane of Lotteries has long become almost proverbial; for the poet Fielding, near a century ago, wrote a farce, which had a great run on Drury-lane stage, called "The Lottery," which began with the following couplet:

"The Lottery is a taxation,
"Upon all the fools of the nation."

A Journal of the day relates, that, on Tuesday, the 12th ay of November, 1808, the first meeting of the creditors der this bankruptcy took place. The commissioners were, Frederic Eden, Mr. Hickey, Mr. Reynolds, and Mr. lumbers. The counsel were, Mr. Cullen, for Mr. Bish, Lottery-office keeper; Mr. Freshfield, for the gentlemen the Bank; Mr. Montague, for Mr. Whiting, the printer; r. Burroughs, for Mr. Eyton, Mr. Pollock, &c. &c.

The claims of a few persons for pastry and other private mmodities were admitted. Mr. Whiting's, the printer, im was sworn to, and about to be admitted, as was that Mr. Bros, of the Bank, and Mr. Bish; but Mr. Montague, counsel for Mr. Whiting, stated, that he should object to ersons who were subscribers in Walsh and Nisbett's list oving, under the idea of their being partners, and as he ceived Mr. Bish was not only a great person in this usiness, but also a great creditor, he should like to try his rength with him first. Mr. Bish was on oath, and Mr. ontague put several questions to him, chiefly whether he nceived himself as a partner with Messrs. Walsh and isbett.—Mr. Bish answered, that he conceived that if ere really was a profit on the Lottery, he was entitled to a are on 854 (the number of tickets he was a subscriber t) as that bore to 50,000, the number of tickets which e two Lotteries consisted of. Mr. Burroughs then asked variety of questions of Mr. Bish, as to the nature of the ontract for a Lottery, and whether he did not know of his wn knowledge, that in the late Lotteries the most gross, famous, and scandalous practices had been used to make ise sales, and thereby raise the price of the transfer of ckets from the original subscribers to other persons. Mr. ish answered, that such practices had been used, but that e was no ways privy to them, but was the instrument in tecting them. Mr. Burroughs asked him when he first ought so. Mr. Bish replied, "That he long suspected it; ut it was not until about the beginning of last August that e was certain." He was then asked what was the nature these practices. He replied, "The Contractors sending ound their agents to purchase tickets and shares to make a

false sale appear on their books. Sir F. Eden said, Then this practice, I presume, is what is termed *gobbling* in the Newspapers. This practice seemed to meet the universal indignation of all present. Mr. Cullen said, as counsel for Mr. Bish, he could not sit still and hear the least suspicion entertained that he was privy to this system of fraud; for his client had sent forth a printed paper to the public, deprecating the practice, and it was through his labours that this nefarious business had come to light. Mr. Cullen, in a long and eloquent speech, pointed out the nice distinctions between a partnership account and an individual account, in commercial affairs. Mr. Montague, Mr. Freshfield, and Mr. Burroughs, spoke very ably on the part of their clients; and after debating a variety of intricate points for upwards of three hours, the commissioners being divided two and two, a petition seemed to be generally recommended to the chancellor on this unprecedented and important business.

Notwithstanding all this clamour of creditors, Walsh and Nisbett bustled through their broken fortunes; and, from the counting-house desk, the former, as we have already observed, was placed in the seat of a legislator for his country. There, among "the great men, the grave men, and the sage men of the land," he beheld a fair field for the exercise of his talents. Elevation to rank and power soon wipes away every former stain of reputation, and effaces each blot of character.

Among the dignified of the House of Commons, Sir Thomas Plomer, it seemed, had not a whit worse opinion of his brother member Walsh, than if no Lottery contract had been made, or any bankruptcy against him issued forth. In short, Sir Thomas entrusted him with a very large sum of money to purchase government securities; but Walsh laid it out in the Stocks of the United States of America in his own name, and ran off towards that ungrateful land of refuge to the guilty; but was, however, fortunately overtaken by the arm of Justice, at the port from whence he intended to fly his native country.

Walsh was pursued by the Soliciter of the duped Knight

and a Bow-street runner, to Falmouth; to which port it was discovered he had fled by stopping his letters, under a government order, at the General Post-office. Young Members of Parliament are fond of *franking* the letters of their friends; and it appeared that Walsh was so very tenacious of this prerogative, that, in an ignominious concealed flight, he must still indorse upon his letters, "FREE, B. WALSH."

This degenerate legislature for his country, like the meanest felon, was arraigned at the bar of the Old Bailey, charged with feloniously stealing 22 Bank notes, of 1000*l.* each, and one Bank note for 200*l.* the property of Sir Thomas Plomer, Knight, with intent to defraud him of the said sum of money; in other counts of the indictment the offence was variously charged, to which the prisoner pleaded not guilty.

Mr. Abbott opened the pleadings on the part of the prosecution.

Mr. Garrow, in stating the case on the part of the prosecution, observed, that if it had been possible for the prosecutor in this action to have extended indulgence or commiseration towards the unfortunate prisoner at the bar, the honourable and humane feelings and character of the prosecutor would have most willingly abstained from the present prosecution; but from the nature of the case he was called upon to discharge an important public duty, which was indispensable. He desired the jury would discharge their minds from any impression which might be made by what they might have seen in the public prints, and be wholly directed by the evidence which should be adduced before them. The prosecutor was his Majesty's Solicitor-General, and had long been acquainted with the gentleman whom he had now the painful duty to prosecute. His father had been a director of the Bank of England, and from this the prosecutor was induced to entrust the prisoner as a Stock-broker. He then proceeded to state the case, as it appeared in evidence, and which we prefer giving in the detail, from which he concluded, that at the time of the prisoner's getting the means into his power, it was his intention to perpetrate the felony. As to the question of law,

he took it from the oldest authorities, that the crime of larceny was imputable to the prisoner. The crime of simple larceny was sufficiently known and well defined; it was feloniously taking the personal chattels against the will, and without the knowledge of the owner, with intent to convert them to his own use, and upon the evidence it would appear that the prisoner at the bar had taken this money with no other intent.

Sir Thomas Plomer being sworn, stated, that he had for many years employed the prisoner as a Stock-broker, and in the month of August last apprised him that he had made a contract for the purchase of an estate, for which he was to pay at Michaelmas, and it would be necessary for him to sell out stock to a considerable amount: the prisoner advised at that time to postpone selling out, as he expected a considerable rise in stock, and the longer he postponed it the better; but, in November, the prisoner urged him strongly to sell out, as Stock would fall considerably, saying, he had consulted the most intelligent persons upon the subject; and, in consequence of this, he gave him authority to sell out Stock to the amount of 15,400*l.* three per-cents, and 18,600*l.* reduced consols. On the following day he called at the prisoner's office in the city, who told him he had made the contract for the sale, and it was agreed to be transferred on the Wednesday or Thursday following, which accordingly took place; and he then consulted the prisoner on the best way of disposing of the money until he should want it, and he advised the purchase of Exchequer Bills, but it was then, he said, too late in the day for the purpose. The next day the prisoner called at his chambers at Lincoln's Inn, and he gave him a check on Messrs. Goslings, his bankers, for 22,000*l.* for the purpose of purchasing these Exchequer Bills, and he promised to return with them that day at four o'clock; this was Thursday, the 5th of December. He returned about half past four, appeared agitated, and complained of an asthma; and, after a little pause, told him he had made the contract with Mr. Trotter, Mr. Coutt's broker; but the Exchequer Bills could not be delivered until Saturday, as they were locked

e Bank, and Mr. Coutt was not in town; and that ld call on that day at three o'clock. At that time luced 6000*l.* Exchequer Bills, which he said he odge with his bankers, along with the receipt for nce. He afterwards inquired at his bankers', and e Exchequer Bills for 6000*l.* were lodged, but no and he never saw the prisoner after until he saw Bow-street. The witness then referred to the letter eceived, which has been already published.

his cross-examination by Mr. Scarlet, he admitted given the check for 22,000*l.* for the express purpose hasing Exchequer Bills; as his Stock-broker, he give any particular injunction as to the mode of g the money for the check, but left it to his own n.

everal letters from the prisoner to his brother, and which were intercepted, were read in evidence.

m Ewins, clerk at Goslings and Co's. proved the t of the check for 22,000*l.* to the prisoner in person; William Hannan proved the purchase of 6,000*l.* equer Bills, by order of the prisoner; and George , his clerk, proved the delivery of them to the

nuis De Beirdt, a broker of American Stock, proved oner having commissioned him on the 29th of r, to purchase 10 or 11,000*l.* American Stock, for man going to that country. The purchase was d; and on Thursday, the 5th of December, about ck in the forenoon, the prisoner paid him 11 Bank 1000*l.* each, for 10,459*l.* 19*s.* American Stock; and he gave him a check on his bankers for the balance.

oseph Walsh, brother of the prisoner, proved a to him of 1000*l.* odd, on the 5th of December, im by his brother some time.

m Clark, the brother-in-law of the prisoner, also payment to him by the prisoner, on the same day, 000*l.* Bank note, and he gave him a check on his r 600*l.* leaving in his hands 400*l.*

Henry Atwright, clerk of the prisoner, proved his having changed a Bank note for 1000l. given to him by the prisoner on that same day.

Here Mr. Garrow took occasion to observe, that there was not the slightest grounds of suspicion that any of the witnesses had any previous knowledge of the prisoner's intention.

Mr. Charles, of the Bank of England, proved his having made the contract with the prisoner for the purchase of the Stock sold out by Sir Thomas Plomer.

Joseph Hearn, a silversmith, proved the purchase of 80l. in Portuguese doubloons from him by the prisoner, on the 5th of December.

Mr. James Webb, a hosier, in Threadneedle-street, proved the prisoner's coming to town in the hackney stage, on the morning of the 5th of December—his leaving a travelling portmanteau and great coat at his shop, and returning for them in the evening, and purchasing a dozen pair of woollen boot-stockings, and four night-caps.

Mr. Jenkins, Solicitor to Sir Thomas Plomer, proved the subsequent arrest of the prisoner at Falmouth.

The case on the part of the prosecution being closed—the prisoner declined making any defence.

Mr. Scarlet, for the prisoner, in addressing the Court, hoped he would not be understood to entertain any other sentiments of this offence, than a conviction of the moral turpitude of the prisoner; and he was satisfied the prisoner himself entertained no other sentiment, and felt all the contrition belonging to such a crime; but it now became his duty to make such objections as occurred to him;—First, there could be no charge of this sort for stealing the check, for it was in evidence the prosecutor had given it to the prisoner for a specific purpose; and it was not altogether misapplied, for he had purchased some Exchequer Bills, and the law did not allow the act of felony to be in part separated. The second objection was under the Statute of the second year of the reign of George II. by which the security intended by the Legislature was to such property as was still

available to the party himself—in this case the prosecutor had parted with all controul over the check by delivering it to the prisoner. Thirdly, the felonious intent of the party taking was not in itself sufficient to constitute a felony when the party to whom the property belonged had relinquished his controul over it; and, in support of these objections, he referred to several cases in point.

After some observation by Mr. Garrow, Mr. Scarlet, and Mr. Alley, it was agreed that the jury should find a verdict subject to the future judgment of the twelve judges upon the Chief Baron's report.

The Chief Baron acquiesced in this arrangement, and then, addressing the jury, adverted to that part of the evidence which went to shew the previous intent of the prisoner to commit the felony. Observing, at the same time, that it was impossible, upon such evidence, not to find the prisoner guilty; who, in consequence of the objections made by his counsel, would have all the benefit of the Twelve Judges hereafter.

The jury immediately returned a verdict of—Guilty.

During the whole of the trial the prisoner was much affected; but particularly when that part of the letters were read relative to the situation of his wife and children.

The Court was exceedingly crowded from an early hour; and several Members of both Houses of Parliament attended to witness this extraordinary trial.

The Judges who presided at the trial of Walsh, by no means satisfied with the verdict, reserved a case for their brethren. The result of their opinion will be found in the following report of the Lord Chief Baron, and the pardon of the Prince Regent:

THE LORD CHIEF BARON TO MR. SECRETARY RYDER.

"SIR, "February 15, 1812.

"I have the honour to acquaint you, for the information of His Royal Highness the Prince Regent,

that Benjamin Walsh was indicted before me at the last Sessions holden at the Old Bailey, for stealing from Sir Thomas Plomer, a certain order for the payment of 22,000*l.* and also stealing Bank-notes to that amount.

"The facts of his having formed the design of converting this money to his use, and of actually so converting much the greater part of it, were proved without contradiction.

"But doubts having occurred to Mr. Justice Le Blanc and myself, (Mr. Justice Chambre being absent from indisposition), the case was reserved for the Judges to consider whether the facts proved, amounted to the crime of larceny.

"The argument of Counsel concluded last night; and the case was considered by ten Judges present (two being confined by illness), who were of opinion that the facts proved did not, in estimation of law, amount to felony.

"The prisoner having been convicted of that offence, I am humbly to recommend him as a *proper object* of His Majesty's pardon.

"I am, &c.

(Signed) "AR. MACDONALD."

"BENJAMIN WALSH—FREE PARDON.

"In the Name and on Behalf of His Majesty.

"GEORGE P. R.

"Whereas Benjamin Walsh was, at a Session holden at the Old Bailey in January last, tried and convicted of felony, but judgment was respited; We, in consideration of some circumstances humbly represented unto Us, touching the said conviction, are graciously pleased to extend Our grace and mercy unto him, and to grant him Our Free Pardon for his said crime. Our will and pleasure therefore

ause the said Benjamin Walsh to be forthwith
out of custody; and for so doing this shall be
part.

at our Court at Carleton House, the 20th day of
1812, in the 52d year of our Reign.

"By the Command of His Royal Highness
the Prince Regent, in the name and on
the behalf of His Majesty,

"R. RYDER.

our trusty and well-beloved our Justices
Gaol Delivery for the City of London
l County of Middlesex, the Sheriffs of the
d City and County, and all others whom
day concern."

mmons expelled Walsh from his seat in their
nd he was again made a bankrupt, whereupon
Thomas found himself entitled only to a pitiful
nder the second Commission.

N CLAYTON and WILLIAM JENKINS,

before Newgate, on the 19th of February, 1812, for Burglary.

ve now to record one of the most daring robberies
ver committed, as well as the greatest persever-
exertions by Police-officers, to detect and appre-
bers. Reid, belonging to Perry's party of the
eceived information, that the house, No. 4, in
et, St. James's, kept by Mrs. Martin, was marked
bed by a gang of thieves, who had got to the
e that she in general went out every evening,

principally to the play, through the thoughtless and imprudent conduct of her female servant, Mary Wakelin, who had admitted one of them, named Clayton, to visit her as a sweetheart; having got acquainted with her under a false representation that he was a trunk-maker, living in Oxford-street. Monday se'nnight was the time fixed on for the perpetration of the robbery. Perry, Reid, Limberick, and others, applied to a neighbour residing opposite to Mrs. Martin's house, to accommodate them with a room, to watch the proceedings of the night. They went there about half past seven o'clock, and in about three quarters of an hour after, three or four men and two women came and walked up and down in the front of Mrs. Martin's house; and after some time one of the men knocked at Mrs. Martin's door. The servant girl answered it; the man who knocked at the door proved to be Clayton, who pretended to be the girl's sweetheart; they crossed over the way talking together, he kissing and squeezing her. Clayton expected to be admitted that night, but the girl was not able to fulfil her promise, owing to her mistress being unwell, and consequently not going out.

On the following Tuesday night about eight, or half past eight o'clock, the officers being at their usual place to watch, observed Clayton knock at Mrs. Martin's door. The servant came to the door; they walked away together, and went to a liquor-shop, and had some gin. When they were separating, he professed such strong love for her, that he was nearly broken-hearted at parting with her, and kissed her at least a dozen times. On Wednesday night, about the same time, Clayton and two other men appeared before Mrs. Martin's house. They threw stones against the kitchen window, which not answering the purpose of bringing out the girl, they threw some halfpence, which had the desired effect. She came out, and went and had some liquor with them. Clayton kissed and courted the girl for some time in the street. During all these visits, Clayton wished very much to go into the house; but the girl told him she dared not, her mistress being still ill, and remaining confined in the house. On Thursday night Clayton attended

alone; but his companions were supposed to be at an adjoining house. The girl came out, and they went and drank together. On Friday night Clayton was accompanied by two or three more men: they walked up and down in the front of the house, while Clayton knocked at the door. The girl answered it, and came out to him, and they talked together for some time; the whole gang was very eager to get into the house that night. On Saturday, Sunday, Monday, and Tuesday nights, Clayton pursued similar conduct, going with the girl her errands, drinking together, &c. On Tuesday night, the girl told Clayton that her mistress was so much recovered, that she expected she would be well enough to go the following night to the play.

On Wednesday night, about eight o'clock, Mrs. Martin, accompanied by a male and female friend, went in a coach to the Theatre. In a few minutes after, the servant girl came out, and returned shortly after with Clayton, arm in arm together. They talked together several minutes at the door, and then went in together. In about a quarter of an hour after Clayton came out, and returned in about five minutes, accompanied by another man. Clayton knocked at the door, and the girl opened it. She appeared to refuse letting the other man in; but Clayton forced open the door, and the other man rushed in. The officers, who had been upon the close watch every night, then went over to the house, and heard all three talking very loud in the kitchen. From the noise and what they saw through a key hole, they ascertained that the two men were dragging the girl up stairs against her will, and she was exclaiming, "Lord have mercy upon me! what shall I do!" One of the men told her, if she made such a noise he would blow her brains out, and presented a pistol to her head, and kept it there. They forced her up stairs, she continued the above exclamation in defiance of their threat. The officers heard doors being broke open, &c. and in a few minutes after the other man came down stairs, and returned with the kitchen poker: they then heard other doors break open, but not hearing the noise of the girl continued, the officers

were afraid of her being murdered, and were proceeding to break open the street-door with an iron crow, which the girl hearing, exclaimed it was her mistress, gave a sudden spring, released herself from them, ran down stairs, and the robbers after her: they got into the passage just as the officers had broke open the door, and got into the passage.—Clayton and Jenkins appeared as if nothing had happened, and wanted to get out. Perry and Reid seized them; the villains made a most desperate resistance, which they were enabled to do, being very tall, stout, powerful men; the officers, however, soon secured them. On searching Clayton, a large clasp knife and a bad dollar were found. On Jenkins were found a pistol, two bad dollars, &c. On examining the house, the officers discovered that a large quantity of property had been packed up, ready to be carried off. Several rooms and closets were broken open, and they were in the act of breaking open a chest when they were disturbed.

The trial of these desperadoes came on at the Old Bailey, the 15th of January, when Mary Waklin, before named, deposed, that she first became acquainted with the prisoner Clayton, about eight or ten days before the 1st of January; he then came to her mistress's house, when she answered the door, and told her his name was Wilson, and that he had a letter for Mrs. Martin, which was the name her Mistress went by. A night or two afterwards, he threw things down the area. Her mistress sent her out with a message, and she then saw Clayton, who asked her to take something to drink, which she first refused, but on his insisting, they went and had something to drink. She saw him a night or two afterwards in the streets, as she went out on an errand, and frequently after that; but she never saw the prisoner Jenkins till the night of the first of January.

The jury found both the prisoners Guilty.

The fearful sentence was carried into effect on the scaffold before the debtors' door, Newgate, at the usual hour, and with the accustomed solemnity.

After the culprits had been divested of their irons, Clayton observed to Jenkins, it was an awful moment, and

he exhorted him to cheer his spirits, and die with manly fortitude—adding, that the sentence was just, and trusting their example would warn others against keeping bad company. It has never been promulgated, that a servant, who had formerly lived with Mrs. Martin, informed a man with whom she lived, that there was always money in the house. This was communicated to others, and seven persons had beset the house several nights—but one of the gang, who had squabbled about the division of other spoil, gave information to Bow-street of their intention.

Clayton was 28 years of age, and Jenkins 35, making allowance for the effect which the awful preparations for their death must be supposed to work upon them. We hope their untimely end will be a warning to others, and stop them short in that career of folly and wickedness, which so often brings its votaries, full of strength and vigour, in the prime of youth or manhood, to the gallows; and we farther trust, that viewing the way in which this burglary was effected, that it will be a caution to housekeepers, in trusting their property to the care of servants.

MICHAEL WHITING,

Sentenced to Death, for poisoning his two Brothers-in-law, with an intent to possess himself of their property.

AT the Isle of Ely assizes, on Thursday the 5th of March, 1811, Michael Whiting a shopkeeper in Downham, near Ely, was indicted under Lord Ellenborough's Act, on a charge of administering poison to George Langman and to Joseph Langman, his brothers-in-law.

It appeared in evidence, that the Langmans resided together at Downham, and were small farmers; and that their family consisted of themselves, a sister named Sarah, about ten years of age, and a female domestic, of the name

of Catharine Carter, who acted as their housekeeper and servant: they had another sister who was married to the prisoner.—On the morning of Tuesday, the 12th of March, 1811, they sent their sister to the prisoner's house to borrow a loaf; the prisoner returned with her, and brought a loaf with him, and told the Langmans, that as he understood their housekeeper was going on a visit to her friends, for a day or two, he would bring them some flour and pork to make a pudding for their dinner.—He went away, and shortly afterwards returned with a bason of flour and pork; addressing himself to the housekeeper, said, "Catharine, be sure you make the boys a pudding before you go." He then took the young child home with him to dinner. The housekeeper made two puddings, but observed the flour would not properly adhere; she left them in a kneading trough, and the Langmans boiled one of them for dinner; they had hardly swallowed two or three mouthfuls before they were taken exceedingly ill, and seized with violent vomitings. Suspecting the pudding had been poisoned, one of the Langmans gave a small piece to a sow in the yard, which swallowed it, and was immediately taken sick, and, after lingering some time, died. The elder brother soon recovered, but the younger one continued in a precarious state for several days. The remnants of the pudding were analyzed by Mr. Woolaston, professor of Chemistry at the University of Cambridge, and found to contain a considerable quantity of corrosive sublimate of mercury. The prisoner, who it appeared was a dealer in flour, attempted to account for the pudding's being poisoned, by stating, that he had then lately laid some nux vomica to poison some vermin, and that some of it must accidentally have been carried into his flour-bin. Mr. Woolaston, however, positively stated, that the pudding contained no other poisonous ingredient than corrosive sublimate; and it came out in evidence, that the prisoner who sold drugs, had purchased of the person, whom he succeeded in business, a considerable quantity of that poison. It also appeared, that the flour-bins belonging to the prisoner had been searched,

nd that immediately upon its being discovered that the angmans had taken poison, the prisoner emptied his bins nto the privy, and washed them out.

Mr. Alley, from London, conducted the prisoner's defence. he trial lasted till six o'clock at night; and the jury, after eliberating about ten minutes, found the prisoner guilty; nd the judge immediately passed sentence of death, and e was left for execution.

By the deaths of the two Langmans, under age, the risoner's wife, and the child he took home with him, would ave become entitled to the father's estate, as the heiresses f their brothers.

GEORGE SKENE,

Chief Clerk of the Queen square Police Office, Westminster.

Executed before Newgate, the 18th of March, 1813, for Forgery.

IN our long catalogue of crimes we have not presented a felon of the description of Mr. Skene—a character who held a place of trust and profit;—an office, the duties of which, one would imagine, might have fully guarded him on whom their execution devolved, against falling into a course which might tend to reduce him to a level with the criminals who daily came under his notice; and a man in the highest estimation of all who knew him.

Yet, such is the frailty of human nature, so uncontroulable are our propensities created by unbounded appetite or cursed avarice, that this man committed forgeries upon the office he held. For this unpardonable crime he was indicted at the Old Bailey, and on the 15th of January, 1812, brought to trial at the Bar of that court. The indictment charged him with uttering forged receipts for the payment

of money, in four instances, with intent to defraud his Majesty.

Mr. Abbott opened the case, and it appeared, that the prisoner had presented forged receipts from four different persons, purporting to have been signed by them, viz. 36*l.* 8*s.* which was charged to him 17*l.* 9*s.*; 11*l.* 10*s.* for printing, when the printer's bill was 4*l.* 11*s.* There were two other forged receipts, purporting to be from Mr. Ryder, for rent, and Mr. Stanton, for stationary, with considerable additional charges.

The principal witness was Mr. Baldwin, Receiver-general to the several Police-offices, who settles accounts quarterly with each office, with a statement from the chief clerk at each office, of fines, fees, &c. received by the office, the salaries of the Magistrates excepted. He believed the forged receipts in question to be of the prisoner's hand-writing. The prisoner attended on witness at the Secretary of State's office, where he presented the forged vouchers. The fees and fines obtained at the office are given to witness, in part of payment of the Police Establishment, but such were inadequate to the demand. Witness stated, that the prisoner's salary was 2 00. a year.

The forgeries were severally proved to the four receipts by signatures to the hand-writing, which was proved to be the prisoner's.

Mr. Serjeant Best took an objection in point of law, which was not admitted.

The prisoner being called on for his defence, delivered in a written paper, which Serjeant Best first perused, and then advised the prisoner to state what he had to say, holding the written defence. The prisoner stated, that his embarrassment prevented him from addressing the Bench, but he declared to God and his conscience he had no intention to wrong any one, but he attributed the error in his accounts to his having been absent 500 miles from London on professional business.

The Marquis of Huntley gave the prisoner an excellent character. He had known him many years, and he had

always considered him a man of strict integrity, and incapable of an act of injustice.

The other witnesses to character were chiefly Magistrates, viz. Messrs. Nares, Fielding, Storey, Carrick, Rhode, Bernie, &c. and Captain Duff, of the Navy. The above gentlemen spoke in the highest terms of the prisoner's honesty and integrity.

The Lord Chief Baron, in summing up the evidence, observed, that such a character of a prisoner was perhaps never heard in any Court. He observed, that the character of a well-spent life had its weight in cases of doubt; but, where the weight of evidence was conclusive against a prisoner, it was much to be lamented that character had been forfeited. If any doubt existed (but he, the judge could point out none,) the jury would give the prisoner the benefit.—Guilty—Death.

From the moment of the conviction of this unhappy man till the time of his execution, he was buoyed up by the hope of the Royal mercy; and a paragraph appeared in some of the public prints, stating that he had received the Royal pardon. But these hopes were dissipated on the Friday before his execution, when he was given to understand that he had no mercy to expect. He expressed his perfect resignation to his fate. In the course of Tuesday, the day before his execution, many of his most intimate friends took their leave; and about four o'clock, he, in company with Lord Robert Seymour, took the Sacrament.

At an early hour on Wednesday, the 18th of March, 1812, he was attended by the ordinary of Newgate, until summoned to the Press-yard; from whence, at eight o'clock, he proceeded to the scaffold. Previous to ascending the platform, he seemed considerably affected; but, after a few seconds, he resumed his fortitude, and taking off his hat, advanced and submitted himself to the executioner, who having performed his melancholy office, retired, leaving Dr. Ford with him in prayer. In two minutes afterwards the platform fell. The crowd which attended the awful spectacle, seemed deeply impressed with the scene. After being suspended the usual time, the body was cut down,

placed in a coffin, and carried within the prison, where it remained until eight o'clock that evening, and was then delivered to his friends.

The deceased was of a most respectable family in the north of Scotland; his wife, who was burnt to death about four years since, had been previously the wife of the Earl of Fyfe, then Mr. Duff. He was formerly clerk at the Shadwell Police-office, and from thence went to the Queen-square Office, as Chief Clerk. He had received a good education, and possessed considerable mental acquirements.

WILLIAM CUNDELL AND JOHN SMITH,

Executed at Horsemonger-lane, Southwark, the 16th of March, 1812, for High Treason, in joining the French in the Isle of France.

A SPECIAL Commission was issued for the trial of these men, and which was opened by the Lord Chief Baron, on Monday, the 6th of February, 1812, when William Cundell, alias Connel, one of the twelve British subjects, taken in the enemy's service, at the Isles of France and Bourbon, was put to the bar. The jury being sworn, Mr. Abbott opened the case on the part of the Crown. He was followed by the Attorney-General, Sir Vicary Gibbs, who stated the facts charged against the prisoner, and explained the law, as applicable to them, under the Statutes of the 25th of Edward III. and Henry VIII. He then proceeded to call evidence in support of the indictment.

J. Wath stated that he was shipmate with the prisoner on board the Laurel, which was captured on the 12th of September, 1808, and carried into the Isle of Bourbon. The prisoner had informed him that he was born at the Sheds of Clontarf, near Dublin. He, with himself, and the rest of the crew, were put in confinement at Port Louis, and in about three months afterwards he saw him at liberty,

d in a French soldier's uniform, namely, white turned ith blue. The prisoner continued at large, in this er, doing duty as a French soldier, until the Island dered to the British forces. Witness himself entered ench service as a soldier, and wore the uniform.—On oss-examination, he admitted that he was liberated at ame time with the prisoner. The prison in which the had been confined was on the ground floor, and the of the two ships were confined in one room. They very much annoyed with vermin. He never saw so vermin in any place before. When he deserted to the h service, he was in a state of intoxication, and he reatened, if he went back to the English, with some- that would not be good for him. They kept him going back for that reason.

Mitchell, master-at-arms, proved that he had heard risoner say, on board the Royal William, when in rement, that he was bred and born an Irishman.

ptain Woolcombe, commander of the Laurel, proved e saw the prisoner very near a hundred times in the of Port Louis, walking about in a French uniform, in any with the French soldiers.

utenant M'Preseton, of the Sea Flower, which had carried into Port Louis, swore that he saw the prisoner French uniform, and that he wore a French national de. The uniform was *red* turned up with *green*. The had been centinel over the British officers, whom ated with great insults.

veral other witnesses were examined for the prose- r, all of whom described the uniform worn by the ner to have been *white* turned up with *blue*.

. Brougham then addressed the jury on behalf of the ner. He laid particular stress on the circumstance although 50 British had entered the French service at me time with the prisoner; although, by the terms of apitulation with the British Commander at the sur- r, all the soldiers of the French, without any exception serters, were to be conveyed to France; although a number of the English who had entered the French

service when they had the option given them by the French Commander, either to go with the French troops to France, or rejoin the British, had traitorously chosen the former alternative, and continued in the French service; yet the prisoner and eleven others, now indicted with him, had used the first moment they were allowed a free option, and preferred surrendering themselves to the British troops, at all risk, relying on the clemency of their country. As all the witnesses, with the exception of Lieutenant Brereton, described the prisoner as having worn a white uniform turned up with blue, it was evident that he could not have been the person described as having insulted the British officers.

Captain Willoughby was the first witness called on the part of the defence; but, not answering, Mr. H. Cook, clerk to the agent of the Admiralty deposed, that the captain had been sent for by the Attorney-General, and came to the Sessions-house in a hackney-coach, but was obliged to go away again so unwell as to be incapable of staying to give evidence without great danger to his health. W. Reynolds, G Armstrong, and J. Fibs, the two latter standing indicted for High Treason, were then examined for the defence.——Their testimony merely went to prove, that the prison in which they were confined was uncomfortable, and their captivity irksome. They deposed, however, that, at the time the British forces were off the Island, they were imprisoned, and, on being asked to accompany the French troops, they all positively refused so to do, and when the opportunity arrived, immediately surrendered to the English army.

Mr. Jones then spoke in evidence for the defence, and the Attorney-General in reply.

The Lord Chief Baron summed up the evidence, and the jury, after a short absence from Court, returned with a verdict of—Guilty. They, however, recommended the prisoner to mercy, upon the ground of his having returned to his allegiance when an opportunity offered.

Cornelius Parker was put to the bar. From the evidence in this case it appeared that the prisoner was born in the parish of Sedgely, in Staffordshire, and continued there

entered the Staffordshire Militia; from which he
ed into the marine service, on board the Magicienne,
aken prisoner, and carried into the Isle of France;
entered into the French service, wore their uniform,
arms, and acted in all respects as a French soldier;
he had endeavoured to induce J. Young, a private
ınd also a British prisoner, taken with himself, to
) the French service, saying, that he was happy at
ıad done, and did not at all repent it. Verdict—

ext prisoner put to the bar was John Tweedale,
ddle. It was clearly proved that the prisoner had
y acknowledged himself to be a native of Liver-
d a saddler, and having followed business there;
was afterwards a private marine on board the
frigate, which was taken by the French, and
to the Isle of France; and that being confined as
of war he voluntarily entered as a soldier in the
ervice, and acted in conjunction with the French
ılthough he afterwards voluntarily surrendered
) the British on the capture of the Island.
ednesday the 8th of February, 1812, C. Bird, a
elonging to the Iphigenia, was put to the bar.
e and T. Westlake, his ship-mates, swore to his
ien seen by them in the French uniform in the Isle

th Westlake, wife of the last witness, stated, that
Iphigenia struck, the prisoner said he hoped they
taken, and when she did actually strike, he ob-
ıt he was very glad, and that he would go into the
rvice. The witness was suffered to go to market
ouis, attended by a centinel; and, about five or
after the Iphigenia surrendered, she met the
n the market, dressed as a French soldier. On
-examination, she admitted, that she had some
with the prisoner about some property of Captain
, which she saw him take; but denied that she
suffered him to take any liberties with her.
Lambert, of the Iphigenia, and Curtis, of the

Magicienne, had frequently seen the prisoner in the French uniform. The latter added, that he had frequently saluted him, and other British officers.

The prisoner being called on for his defence, endeavoured to impress a belief that he was induced to put on the French uniform with a view of escaping from the Island, and also of endeavouring to minister to the comforts of his countrymen in captivity. He attributed to the female witness malicious motives for the evidence she had given, and more particularly her assertion that he had robbed his commanding officer, in consequence of his having discovered her in an improper situation with a French officer. He put it to the judgment of the Court, whether a man, who had fought and bled in the service of his country—whose father was a veteran soldier, of forty years' service in the army, and two of whose brothers were at this moment serving as officers, in defence of their country, would desert that king and country to which he owed allegiance, from affection and duty. He left them to judge of his conduct, from the circumstance of his returning home to take his trial, and indignantly rejecting the offer of going to Old France when made to him, at the time the Island capitulated.

Martyn Ryan, a seaman, who was a prisoner in the Isle of France, deposed to the humane and benevolent conduct of Bird to his countrymen in prison, and stated, emphatically that Bird did all in his power to dissuade the English prisoners from deserting to the French cause.

Lieutenant Grimes, of the Iphigenia, said, that the prisoner was always a willing hard-working man, and ever desirous of satisfying his officers.

Mr. Brougham then addressed the jury upon the evidence with considerable eloquence; and, after a reply from the Attorney-general, Sir S. Le Blanc summed up the evidence. The jury having then retired, after an absence of half an hour, returned with a verdict of—Acquittal.

During their absence, a new jury was sworn, and J. Quigley, another seaman belonging to the Iphigenia was put upon his trial. He was found guilty, but strongly recommended to mercy by the jury.

On Thursday the 9th of February, 1812, J. Smith was put to the bar. The indictment imputed to him, in addition to having entered the French service, that he assisted the enemy in making slides for carronades, and that he enticed one J. Mackenna, and certain others, to join the enemy. The charge was proved by Mackenna, and several persons taken along with the prisoner in the Magicienne, and the jury returned a verdict of—Guilty.

G. Armstrong was next put to the bar.

From the evidence, it appeared, that the prisoner had been two years in the French service; and had acted on two or three occasions, as a guard over British officers, among whom was Lieut. Brereton, who positively swore to his person.

The prisoner, in his defence, said he had left prison with a view of getting employment as a shoe-maker, in which trade he had been brought up. He denied ever having served as a soldier: and mentioned his having attempted to escape to the British cruizers.

Three witnesses were called in support of his assertions; they, however, confirmed the fact of his having entered the French service; but bore testimony to his having worked as a shoe-maker, and having attempted to escape; for which attempt he was severely punished, having had his eye knocked out, and his arm broken. The prisoner was found—Guilty.

On Friday the 14th of February, 1812, S. M'Farlane was charged, in addition to having entered the French service, with attempting to entice one J. Curtis to follow his example: with assisting and guarding his fellow-countrymen; and previous to his entering the French service, expressed a determination so to do.

The prisoner attempted to impress upon the Court a belief that he assumed the French uniform for the purpose of effecting his escape to England.

The jury, after having heard a short address from Mr. Brougham, and the reply of the Attorney-General, brought in a verdict of—Guilty, but recommended him to mercy, on account of his not having been found in arms.

J. Teaster, alias Tester, was then put to the bar, when the Attorney-General, in a pathetic address to the jury, stated, that the object of these prosecutions is to shew that offenders, such as those whose fate has been decided, cannot escape the hands of justice: a fact which it is necessary should be publicly impressed on the minds of those engaged in the service of the country. Many more persons than those who had been brought to trial, were found acting in a similar manner. There were reasons, however, for selecting those men who have been tried, as well as those who remain to be tried. Their cases, however, could not be as accurately examined by those who had the opportunity of making the selection as by myself. I have had an opportunity, from the closest and most minute attention, of investigating the particulars of every charge, and I think the ends of justice are answered, and that those who have been tried will furnish a sufficient example to deter others from the commission of a like offence. I would not have it understood that those who remain have been selected haphazard. No; the cases of these men have been looked into, and there are circumstances of alleviation in their conduct, which forms a very considerable shade of difference between their guilt and that of the men who have been convicted, and such as justified me in not bringing their delinquency before you. After what has passed, in ending the prosecutions here, I hope the prisoner at the bar will consider, and I hope his attorney will tell the other prisoners, who know well what they have done, and how deserving they are of punishment, that this course arises from the most humane motives.

Mr. Brougham bore testimony to the extreme humanity, which had marked the conduct of the Attorney-General, as well as of Government, throughout the whole of these trials. For his own part, he had to express the strongest gratitude for the indulgence which had been shewn him as counsel for the prisoners, and cordially hoped the ends of justice might be served by the effect of the proceedings already taken.

The prisoner at the bar, in consequence of there being no

vidence, was then acquitted, as were the three prisoners, . Lahey, alias Le Hay, J. Tibbs, and N. Francis, whose ountenances sufficiently evinced the feelings of their earts.

The Attorney-General desired they might understand hey were acquitted, not from any difficulty to prove their uilt, but from the clemency of the Crown; which he oped would have a proper effect on their future conduct. They all expressed their thanks in becoming language, and etired.

The seven unfortunate men who have been convicted, amely, William Cundell, alias Connell, Cornelius Parker, ohn Tweedle, alias Tweddel, John Quigley, John Smith, George Armstrong, and Samuel M'Farlane, were then rought to the bar, when the clerk of the Court asked them what they had to say—why judgment of death should not e passed upon them, Cundell made no reply, but bowed espectfully to the Court. Tweedle and Parker fell on their nees, and, with looks of despair, regarded their inter-, rogator, but did not utter a syllable. Quigley expressed is sincere repentance for his past errors: and, in a tone of voice rendered almost inaudible by grief, vowed, if he was permitted, that he would fight for his king and country as long as there was a throb in his heart, or a drop of blood in his body. Smith, Armstrong, and M'Farlane all fell on their knees, and begged for mercy.

The Lord Chief Baron then proceeded to pass sentence, after a suitable address—"That you, and each of you, be taken to the place from whence you came, and from thence be drawn on a hurdle to the place of execution, where you shall be hanged by the necks, but not till you are dead; that you be severally taken down, while yet alive, and your bowels taken out, and burnt before your faces; that your heads be then cut off, and your bodies cut in four quarters, to be at the king's disposal."

The prisoners were then, after again crying for mercy, re-conducted to their cells. Almost every individual in Court was dissolved in tears during the melancholy scene.

On Monday morning, the 16th of March, 1812, Wm.

Cundell and John Smith, pursuant to their sentence of High Treason in the Isle of France, were hung, and afterwards beheaded, at Horsemonger-lane, in the presence of some thousands of spectators, and their remains then delivered over to their respective friends for interment. During this melancholy occasion, the light was discernible. At eight o'clock, these two young men were conducted from their cells to chapel, from whence, after remaining some time, they were drawn on a hurdle to the place of execution, and having, with becoming fortitude, ascended the scaffold, attended by the clergyman, they again spent a short period in prayer, seemingly thoroughly sensible of that fate fast approaching them. The dreadful moment having at length arrived, they were launched off, and their bodies, after hanging nearly half an hour, were taken down. The scene then, while the executioner was performing the part of the remaining sentence, in severing off their heads, and alternately with his right hand presenting each to the surrounding spectators, exclaiming, "Behold the head of a Traitor!" became truly awful, and apparently dissolved in tears each individual who beheld the fate of two men, who thus in the bloom of life suffered death, according to the laws of their country.

The remaining five of these traitors to their country, were pardoned on condition of serving in colonies beyond the seas.

JOHN BELLINGHAM,

Executed before Newgate, the 18th of May, 1812, for the Murder of the Prime Minister of Government.

ON the 11th of May, 1812, an event occurred, which excited universal horror and detestation in the public mind —the death of the R. H. Spencer Perceval, who fell by the hand of an assassin.—The circumstances, which led to and attended, this tragic catastrophe, were as follow—

In the year 1804, a Mr. John Bellingham—who had been brought up in a counting-house in London, and afterwards lived three years as clerk with a Russian merchant at Archangel, whence he had returned to England—went again to Russia on mercantile business—was there twice imprisoned, on what he himself has represented as false and groundless charges—and was, according to his own account, treated with very great severity and indignity. During the course of this treatment, he made repeated applications and complaints to Lord Grenville, Levison Gower, the British ambassador at Petersburgh, and to Sir Stephen Sharpe, his secretary of legation, but without obtaining the desired redress. At length he regained his liberty in 1809, and returned to England, impaired in health by the severities he had endured, and (if his own statement be correct) ruined by the expences to which he had been subjected.

After his return from Russia, Bellingham made application to different branches of His Majesty's Government, in hopes of obtaining a compensation for the sufferings and losses which he said he had sustained, through the culpable neglect (as he considered it) of Lord Gower and his secretary to defend the rights of a British subject: but he was disappointed in his hopes, and informed that his claims were unfounded and inadmissible.

He next determined to submit his case to the consideration of Parliament; and, with that view, requested the interposition of General Gascoyne, member for Liverpool, where Bellingham now had his residence, and carried on business as an insurance broker. The General consented to present his petition, provided it were countenanced by Mr. Perceval; the sanction of the Chancellor of the Exchequer being usually deemed requisite in case of any application for a pecuniary grant. Accordingly, in May, 1810, the complainant wrote to Mr. Perceval, "petitioning" (as he himself expressed it on his trial) "for leave to bring in a petition," but was informed, in answer, that Mr. Perceval thought his petition "not of a nature for the consideration of parliament."

After this, in February and March, 1812, he applied to

the Regent and to the privy council, but with as little success as had attended his former efforts; and, on an application to Mr. Secretary Ryder for permission from His Majesty's ministers, to present his petition to the House of Commons, he was informed that he "should address his application to the Chancellor of the Exchequer."

As Mr. Perceval had already given him a decided negative, he clearly saw that another unbacked application from himself alone would be fruitless: he, therefore, (on the 2nd of March,) sent to the Bow-street Magistrates the particulars of his case, inclosed in a letter of which "the purport" (says he) "is, once more to solicit his Majesty's ministers, through your medium, to let what is right and proper be done in my instance:"—and his letter concludes with the following remarkable threat, which, however, appears to have excited neither apprehension nor suspicion—"Should this reasonable request be finally denied, I shall then feel justified in executing justice myself; in which case, I shall be ready to argue the merits of so reluctant a measure with his Majesty's Attorney-General, wherever and whenever I may be called upon so to do. In the hopes of averting so abhorrent but compulsive an alternative, I have the honour to be," &c.—The Magistrates communicated the contents of his packet to the Secretary of State: but the only result was a new disappointment.

After this, on personal application at the Secretary of State's office, having intimated his intention of "taking justice into his own hands," he was (according to his own account) informed by Mr. Hill, that he was at "liberty to take such measures as he thought proper"—a declaration, which he considered as a "*carte blanche*" from Government to act as he pleased—a defiance to "do his worst."

At length, in the evening of the 11th of May, he took his station behind one of the folding doors of the lobby of the House of Commons, which is usually kept shut; where any person, entering through the other, must necessarily have passed close by him.—About a quarter past five, the ill-fated Chancellor of the Exchequer made his appearance, when the assassin instantly shot him through the heart. On

receiving the wound, Mr. P. reeled a few paces, and fell to the floor, faintly exclaiming, "Oh! I am murdered!" He was immediately raised by two gentlemen present, and carried to the Speaker's apartments: but in two or three minutes he was lifeless.

The news of this shocking transaction being rapidly disseminated, a cabinet council was immediately summoned—the mails were stopped, until orders could be dispatched in every direction for the preservation of the peace throughout the country, particular in the scenes of the late and present disturbances;—and a great crowd being assembled in the vicinity of the House of Commons, the horse guards were called out—the foot guards paraded in the Park—and the City Militia, with several corps of volunteers, called upon to preserve the peace of the metropolis.

Mean time the assassin made no attempt to escape; he did not even drop or conceal the pistol which he had used, but continued to hold it openly in his hand; and, on a gentleman's asking aloud, "Where is the rascal that fired?" he stepped forward to the inquirer, coolly replying, "I am the unfortunate man," and quietly surrendered himself a prisoner.—On search, a loaded pistol was found in his pocket—the fellow to that which he held in his hand.

He was taken to the bar of the House of Commons, and, during his examination there, shewed himself perfectly cool and collected—acknowledging the fact, and even endeavouring to justify it.—After his examination, he was (about one in the morning, and under a strong military escort,) conducted to Newgate, and was conducted into a room adjoining the chapel.

One of the head turnkeys, and two other persons, sat up with him all night, and he retired to bed soon after his arrival at Newgate; but was very disturbed, and had no sound sleep during the night. He rose soon after seven o'clock, and requested some tea for breakfast as soon as convenient, which was accordingly sent to him with some bread and butter, of which he eat but little. He was visited by the Sheriffs and a few other public characters, but no private persons were suffered to see him. He conversed

very cheerfully with the Sheriffs, and others who were in the room, and expressed no regret for the deed which he had perpetrated, conceiving himself, as he stated, justified in what he had done; and that it now only remained for the laws of his country to determine the nature of his guilt, which he did not seem to view in a criminal light. He stated that the question would soon be tried, when it would be seen how far he was justified. He considered the whole as "a private matter between him and the Government, who gave him a *carte blanche* to do his worst which he had done."

Alderman Combe, as one of the Committing Magistrates, was very active in his endeavours to trace Bellingham's connections and habits, and for that purpose went to the house of a respectable woman where he lodged in New Milman-street, but could learn from her nothing that indicated any conspiracy with others. His landlady represented him as a quiet inoffensive man, though at times rather eccentric, which she instanced by observing, that when he had lodged there only three weeks, at 10*s*. 6*d*. per week, she was surprised to find that he had given her servant maid half-a-guinea for herself. On being told the deed which he had perpetrated at five o'clock, on Monday the 11th of May, 1812, she said that was impossible; for that she had met him a few minutes before that time, when he told her, that he had just been to buy a prayer-book. She represented him as of a religious turn of mind.

He requested to have pen, ink, and paper, to write some letters to his friends, and he accordingly wrote one to his family at Liverpool, which was delivered open to Mr. Newman, but we do not know its contents. The following was sent to Mrs. Roberts, No. 9, New Milman-street, the lady at whose house he lodged. It will serve to shew the state of his mind in the miserable situation to which he had reduced himself:

DEAR MADAM,

Tuesday Morning, Old Bailey.

Yesterday midnight I was escorted to this neighbourhood by a noble troop of Light Horse, and delivered into the

custody of Mr. Newman (by Mr. Taylor, the Magistrate, and M. P.) as a State Prisoner of the first class. For eight years I have never found my mind so tranquil as since this melancholy but necessary catastrophe: as the merits or demerits of my peculiar case must be regularly unfolded in a Criminal Court of Justice to ascertain the guilty party, by a jury of my country; I have to request the favour of you to send me three or four shirts, some cravats, handkerchiefs, night-caps, stockings, &c. out of my drawers, together with comb, soap, tooth-brush, with any other trifle that presents itself, which you think I may have occasion for, and inclose them in my leather trunk, and the key please to send sealed, per bearer; also my great coat, flannel-gown, and black waistcoat, which will much oblige,

Dear Madam,

Your very obedient Servant,

JOHN BELLINGHAM.

To the above please to add the Prayer-book.

To Mrs. Roberts.

He eat a hearty dinner soon after two o'clock; requested to dine at that hour in future; and, after passing the rest of the day in a tranquil manner, he retired to bed at twelve, and slept till seven next morning, being attended by two persons all the night. He breakfasted about nine o'clock in the morning, and appeared quite composed, talking with apparent indifference about his trial, and repeating his former statements. The Sheriffs, accompanied by several other gentlemen, visited Mr. Bellingham next morning, and found him nearly in the same state of mind as yesterday; but, on entering into conversation with him respecting the melancholy subject of Mr. Perceval's assassination, he became less tranquil, persisted in vindicating the act, and said, when his trial came before a jury of his countrymen, it would then be determined how far a Minister was justified in refusing justice to an injured individual. Had he shot Mr. P. from personal malice he should have been worse

than a brute. It was the Minister, and not the man, that led him to commit the deed. He further declared, that had he a million of lives to lose, they would not prevent him from pursuing his object in the same way.

On Friday morning, May 15th, four days after the murder of Mr. Perceval, at half past ten o'clock, the Judges, Lord Chief Justice Mansfield, Baron Graham, and Sir Nash Grose, entered the Court of the Sessions-house in the Old Bailey. The prisoner was immediately ordered to the bar. He advanced slowly, with the utmost composure of countenance, and bowed to the Court.

Mr. Alley, the prisoner's counsel, applied to the Court to put off the trial, on the ground that the prisoner was not in a competent sanity of mind, and ought not to be called upon to plead; but the Court over-ruled his motion.

The prisoner being called on to plead, said, that "he was so situated, his documents, papers, and vouchers, having been taken from him, that he could not safely proceed to trial. If, as he understood, those documents would not be restored till after his trial, it would be totally impossible for him to enter on his justification."

The Attorney-General was proceeding to explain to the Court what had been done with reference to the prisoner's papers: when—

Chief Justice Mansfield interrupted him, observing, it was necessary the prisoner should first plead.

The prisoner was again interrogated, when he pleaded "Not Guilty," to both counts of the indictment.

The Attorney-General—"I will now answer what has fallen from the prisoner. He says, he has been denied access to his papers. It is true, that Government, for the purposes of justice, has retained them—but it is also true, that he has been informed, if he asked for them at the time of his trial, they should be ready; and any of them, which he might think useful to his defence, should be given to him. And, in the mean time, if he considered it necessary, he might have copies of them. This we are ready to verify on oath."

The clerk of the Arraigns, Mr. Shelton, then read the

ment, which was couched in the usual form—the first charging the prisoner with the wilful murder of ight Honourable Spencer Perceval, on the oath of n persons—and the second charging him with the offence on the verdict of the Coroner's Inquest.

Abbott opened the pleadings. He stated, in the nary form, the crime with which the prisoner stood ed.

e Attorney-General—"May it please your Lordships, emen of the Jury—A lamentable and painful task ves upon me, to state to you the circumstances of this murder—a crime perpetrated on a man, whose whole should have thought, would have guarded and pro- him against such an attack—who, I am sure, if h of life had been left him to see by whose hand he llen, would have spent his last moment in uttering a r for the forgiveness of his murderer. But this is not e for me to dwell on the private loss—the country has torn from its brightest ornament—but the country has justice to his memory. These, however, are not derations by which you must permit yourselves to be ed. It is not revenge, nor is it resentment, that ought ve any influence on your consideration of the question. are to satisfy public justice—to take care, by your ict, this day, that the public shall not be exposed to perpetration of such horrid crimes. With respect to risoner, who has committed this murder and assassina- I know nothing of his life, or how it has been spent, pt so far as relates to the circumstances of the case. as in business, and acted as a merchant—in the course is transaction he shewed himself a man of sound under- ling, in every act which he performed—he not only ucted his own affairs with understanding, but he was ted by other persons to manage theirs. Some three or years ago, not finding his affairs prosper in this country, as entrusted by a house, I believe, in the North, to ute business of great importance. He went to Russia— there, whether through his own misconduct, or by the ce or injustice of that country, I know not, he was

throwa into prison, and applied to his Majesty's Minister, Lord Grenville, Levison Gower, and to the Secretary of Legation, Sir Stephen Shairpe, for assistance and remuneration for certain losses.—They, for reasons which it is unnecessary, and would be improper, for me to state, refused to grant it. He then came to this country, and went on in the pursuit of his affairs in the regular mode. He found persons ready to avail themselves of his activity, experience and knowledge, and by them he was employed. But he seems to have cherished in his mind a feeling of the propriety of making an application to Government, to indemnify him for losses which he said he had sustained through the means of the Russian Government; and he applied to many persons in this country, to assist him in procuring that recompence which he conceived he was entitled to. The grounds of his application were examined, as they always are, by his Majesty's Ministers, who found them unworthy of attention, and therefore the claim was rejected. He then had recourse to another contrivance, which he hoped to have effected. As his Majesty's Ministers did not wish to interfere, he became desirous of having his case laid before Parliament; to see if he had friends enough there, to obtain that which he had in vain sought from Government. He made application to various members of Parliament, who declined complying with his request. He then applied to Mr. Perceval himself, the late Minister, to countenance his claims; which, according to the forms of Parliament, was necessary to be signified to the House, when pecuniary assistance was prayed for. Governed by those principles of justice, which always regulated and directed his conduct, he did not think himself justified in acceding to the request, and he refused it. From the moment the prisoner found Mr. Perceval would not countenance what he called a remuneration; from that moment the desire of revenge took root in his mind. He had been resident in this city for four months; and, from the time he found his application would not be received, he made preparations for effecting the horrible purpose, which he at last fatally accomplished. He provided himself with a

pistols, he purchased ammunition, and was ready
advantage of the first opportunity which offered to
e his revenge. And, for the purpose of greater
, he informed himself of the time when Mr. Perceval
attended the House. That every thing might be
e, he procured to be added, to the common dress
, a pocket at the side, to receive one of the pistols.
day when this atrocious act was committed, he
himself in the lobby of the House of Commons, at
ance, close to the door, and waited till the victim of
gnity was likely to appear. He prepared himself
leed. And, just as he was passing the threshold, he
ed his pistol. It unfortunately took effect. Mr.
died almost instantaneously! Under these circum-
you have to say, whether the person who stands at
be or be not the murderer? Whether he shall or
answer the justice of his country, for the act which
performed?—Consider it not as the murder of so
a person. Consider it as the murder of a common
al. Suppose the meanest subject to have suffered
'erceval did suffer, and pronounce your judgment
would in that case! Is he or is he not guilty?—To
nt you must direct your attention—and I know of
on to cause even a doubt. But, what remains?—
y remains—the attempt which was made this day
ff the trial on the ground of the prisoner being fit
or any other crime, as he was afflicted with insanity.
consider this a little. The prisoner is a man cou-
himself, like others, in all the ordinary circum-
of life—who carries on business himself, none of his
r friends interfering—no pretence suggested that he
able to superintend his own affairs. Not only
g his business himself, but employed by others, in
ence of the high opinion they entertained of his
nding. To them there appeared no defect, no
on his mind. What clearer proof can be given to
ntrary to the defence set up, that this man was not
e law calls *non compos mentis*—that he was an ac-

countable being? He manages his own affairs, and th affairs of those by whom he is employed, in a manner tha no person complains of. What foundation is there then fo raising, not a presumption, but a pretence or a suspicion, of his insanity? I cannot answer that, for I have not occupied my mind with it—I know the cases where the plea of insanity will be received—where, for instance, a murder is committed by a person, whose mental infirmity may be considered as very nearly the absence of all mind. Against their defence, there was no argument. But I am this day to learn, whether the wickedness of the act, which the prisoner is called on to answer, is to be considered an excuse for its perpetration. I can place my position in a stronger point of view, by supposing a case. Let me suppose, while the hand of this assassin was raised against the man whom he murdered, that it was suddenly arrested by the stroke of death, and it pleased God, for the sake of the family, the friends, and the country, of Mr. Perceval, to snatch the murderer from life. Let me suppose, on the morning of that day, the prisoner had either made a will, or entered into any obligation. Let me suppose that will or obligation to be called into question in a Court of Justice, and that his relatives had interfered to do it away, because he was not in a state of mind to act for himself. Travelling through the whole life of this man, what ground could they adduce for such a proceeding? His every act appear rational, except one—and that is only irrational, because i is so horrid, that the imagination of man cannot fancy t itself the existence of so atrocious an act. Could a will o a bond so executed, be disputed in law? Let me suppos that evidence was given of his having *intended* to accomplis that which, unfortunately, he did accomplish. Let the pre paration and the attempt be stated—let it be said tha the deed was all but carried into execution. Could thes circumstances have been adduced in proof of a weak o insane mind, when he was shewn to have exerted, in ever thing else, the most active, perfect, and sound understand ing? And what does the argument of insanity in such case amount to? It comes to this—you must conclude h

was mad, because the act is a proof of madness; he must be insane, because the deed is so atrocious, the act is so enormous, that none of those with whom we are in the habit of communicating in common life, have ever even imagined such guilt. But how far would this argument go? It must arrive at this conclusion, that every act of gross and unusual atrocity would carry its defence along with it. That every act of peculiar horror would have, within itself, a certain defence. For, the barbarity of the deed would be considered as a proof that the mind which directed it was not in a state of sufficient sanity to judge whether the action were right or wrong! This is the only point for consideration, in forming a just conclusion, whether the prisoner possessed such a mind, at the time of the assassination, as to distinguish right from wrong. For, if his mind possessed that power, he is criminally accountable for the act. And here I ought to explain that sort of insanity which renders void civil contracts, but does not affect the commission of crimes. A man may be infirm in mind, insufficient to dispose of his property, or to judge of the claims of his respective relatives; and, if he be in that situation, the management of his affairs may be taken from him, and vested in trustees: but such a man is not discharged from criminal acts, because he cannot transact civil business. I assert this on the authority of the first sages of this country, who have written on criminal law. It was the law of all periods, and never has been controverted. Though a man cannot execute his civil affairs, he is still considered an agent accountable for his criminal acts, if he has a mind that can distinguish right from wrong. And, in many cases which have occurred in Courts of law, where the person had been proved, in many respects, to have evinced symptoms of insanity, up to a certain time, the question was, whether that insanity was of such a description as precluded or permitted the knowledge of right or wrong? In every one of those cases which recurs to my memory, though a certain degree of madness was proved, still, as the parties seem to have sufficient sense to distinguish between right and wrong, at the time of the

perpetration of the acts, they were held to be criminally accountable. I will state two cases of this description, which are the most prominent on memory. In the year 1723, a person of the name of Arnold was indicted for having shot at and wounded Lord Onslow. He was supposed to have been murdered; but the noble Lord recovered. The act was proved beyond all controversy. The defence set up was insanity. It was proved, that, from his childhood, he could not conduct himself like a common man. Every act of his life shewed an insufficiency of understanding; to such an extent, that he was incompetent to conduct his own affairs; nor would his friends, or, indeed, any person, permit him to transact his own business. But it was proved that he entertained a causeless ground of hatred against Lord Onslow; that he had prepared himself for the attack; that he had purchased shot of a larger size than he generally made use of; that he had the act in view for some time before: and it was stated, by the learned Judge who tried the cause, that if, from the circumstances adduced, a knowledge of right and wrong could be presumed, he was criminally accountable—and the jury being of the same opinion, he was found guilty. The next was the case of Lord Ferrers, who was tried for the murder of Mr. Johnson, his steward. Mr. Johnson had resided in his Lordship's family from his childhood; and, when the noble Lord was separated from his wife, he was appointed receiver of the estates. Lord Ferrers then began to distrust and dislike this man, of whom he conceived great jealousy. Johnson, it seemed would not assist him in the furtherance of designs, which he considered unlawful. Against him his Lordship cherished an implacable resentment, and determined on revenge. He concealed it in his own breast, and made the necessary preparations for the foul deed. He sent for Mr. Johnson, treated him with great civility, got the family out of the way; and having enticed him into a room, he there shot him. It was argued on his trial, that he was a man without understanding. Many irrational acts of his Lordship were proved, and it was also deposed, that several of the family had died insane. It was clearly

n, that he had acted with great insanity, not only in
usiness out of which the trial arose, but through his
e life. His Solicitor had frequent conversations with
and thought him so insane, that he refused to be em-
ed by him on that account, and on that account alone.
Physician stated they believed him to be in an insane
of mind—and his relations considered him in such a
tion, that he was a fit object for a commission of
y—which they certainly would have taken out against
but they were fearful that their actions might be
ented, and turned to their disadvantage, if they could
atisfactorily make out the case. How were these facts
ered? By the question put to the whole House of
s, who tried the culprit. "Whether, notwithstanding
ese acts, they believed, that, at the time he discharged
istol, he had a mind capable of distinguishing right from
g." And the whole of his Peers, with one *consentient*
e, pronounced him guilty.—He had judgment of death
ed on him, and, on that judgment, so founded on the
ict of his Peers, he was executed. Now, having pointed
these facts to you, and supposing that those persons
, to a certain degree, insane, with respect to civil affairs,
r me to contrast their cases with that of the prisoner.
e there is no deficiency of understanding whatever—no
ion of others to that effect is adduced—on the contrary,
s entrusted with the management of their affairs. The
tion is, whether at the time the murder was perpetrated,
ossessed sufficient sense to distinguish between right
wrong? What can you collect from the statement I
made (and I have made it as correctly as the informa-
I have received enabled me,) from the systematic
ision which his conduct evinced, that can support the
of insanity? What conclusion can you draw, in
ur of the idea which has been suggested, that the
ner was not in a sane state of mind?—Take from your
llection the horrid nature of the act, with the commis-
of which he is charged—a crime so great, that one can
cely suppose any human creature could be guilty of
an atrocity. Take from it its accumulated horrors,

and the prisoner stands before you in a state of sanity. This is the point to which your attention must be directed." The learned gentleman concluded, as we understood, by expressing his satisfaction in the reflection, that this assassination was perpetrated solely by the prisoner, unconnected and uninfluenced by any other person in the country: on him alone the disgrace rested, and not on the character of the country.

The first witness called on the part of the Crown was—

Mr. William Smith (M. P. for Norwich), who, being sworn, deposed as follows:—

He was on his way to attend the House of Commons on the evening of Monday, the 11th of May, and was going through the lobby towards the door of the House, and as he was passing, he stopt to speak to a gentleman in the lobby, and while in conversation with that gentleman, he heard the report of a pistol, which appeared to have been fired close to the entrance door of the lobby. Immediately on the report he turned towards the place from whence the noise appeared to proceed, and observed a tumult, and probably a dozen or more persons about the spot. Almost in the same instant he saw a person rush hastily from among the crowd, and heard several voices cry out, "Shut the doors—let no one escape." The person came towards him from the crowd, looking first one way, then another, rather like one seeking for shelter, than the person wounded. But, taking two or three steps towards the witness, he rather reeled by him, and almost instantaneously fell on the floor with his face downward. Before he fell, witness heard him cry, though not very distinctly, and in what he uttered, witness heard the word "murder!" or something very like it. When he first fell, witness thought that he might have been slightly wounded, and expected to see him make an effort to rise, but gazing on him for a few moments, witness observed that he did not stir at all, and he, therefore, immediately stooped down to raise him from the ground, requesting the assistance of a gentleman close by him for the purpose. As soon as they had turned his face upwards, and not till then, he found that it was Mr. Perceval. They

hen took him into their arms, the other gentleman on the eft side, and witness on the right, and carried him into the office of the Speaker's Secretary, when they seated themselves on the table with Mr. Perceval between them, also sitting on the table, and resting on their arms: His face was by this time perfectly pale, the blood issuing in small quantities from each corner of his mouth, and, as he then thought, there was not probably more than two or three minutes elapsed from the firing of the pistol, when there were scarcely any signs of life remaining. His eyes were still open, but he did not appear to know witness, nor to take any notice of any person about him, nor had he uttered the least articulate sound from the moment he fell. A few convulsive sobs, which lasted perhaps three or four minutes, together with scarcely a perceptible pulse, were the only signs of life that appeared then, and those continued but a very short time longer: and, when witness felt Mr. Perceval's wrist for the last time, just before Mr. Lynn, the surgeon, arrived, it appeared to him that he was totally dead. Witness remaining in the same situation with the body, until it was carried into the Speaker's house, but he was incapable of giving any account whatever of what passed afterwards in the lobby, respecting the detention or conduct of the prisoner at the bar.

Mr. William Lynn sworn.

This witness stated, that he is a surgeon, residing in Great George-street, Westminster. He was sent for on the evening of Monday, the 11th of May, at about a quarter past five o'clock, and went to the Secretary's room of the lobby of the House of Commons. When he got there, he saw Mr. Perceval on the table in that room, and saw some blood on his white waistcoat and shirt. He turned him on the other side, and saw an opening in the skin, and perceived no pulsation in the pulse, and he appeared quite dead. He probed the wound three inches downwards, and entertains no doubt that a pistol ball passed into the heart, and was the cause of the death of Mr. Perceval.

Mr. Henry Burgess sworn.

He stated that he is a Solicitor, and was in the lobby of the House of Commons, in the Afternoon of Monday, the 11th of May, at a little after five o'clock, when he heard the report of a pistol, which proceeded from the entrance of the lobby. He then saw a person coming towards the House, from the entrance door of the lobby, staggering. Just before he came to the pillar next the door leading into the House, witness saw him place his hand on his breast; he believed he uttered the exclamation, "Oh!" and fell on his face. At the same moment he heard some one exclaim, "That's the man!" and saw a hand pointing towards the bench by the fire-place, which is on one side of the lobby. He immediately went over to the bench, and saw the prisoner at the bar sitting on it in great agitation. There were one or two persons by him; he looked at his hands, and saw his left hand on the bench, and near or under his other hand he saw a pistol, which he took, and asked the prisoner what had induced him to do such a deed or act? He replied, "Want of redress of grievances, and refusal by government," or words to that effect. Witness then said to the prisoner, "You have another pistol?" he replied, "Yes." Witness asked if it was loaded? to which he answered in the affirmative. Witness then saw some person take the other pistol from his person. The pistol which witness took from the prisoner was warm, and appeared as if it had been recently discharged. The lock was down and the pan open. Witness thinks it had a very large bore —(Here the pistol was produced, and recognized by the witness)—He then stated, that he put his hand into the right waistcoat pocket of the prisoner, from which he took a small pen-knife and a pencil, and from his left-hand waistcoat pocket took a bunch of keys, and some money; at the same time he saw the other pistol taken from the prisoner, and a bundle of papers. He was detained in custody, and examined shortly afterwards above stairs in the House of Commons, before the Magistrates. Witness related in the presence of the prisoner, on that occasion, the facts which

he had before stated. When he had concluded, the prisoner made an observation to this effect, as well as he could recollect:—"I wish to correct Mr. Burgess's statement in one point; but I believe he is perfectly correct in every other. Instead of my hand being, as Mr. Burgess stated, upon or near the pistol, I think he took it from my hand, or out of it."

Q. Did he make any other observations upon what you said?—A. He did not.

James Taylor sworn.

This witness deposed, that he lives at No. 11, North-place, Gray's Inn-lane, in the neighbourhood of Milman-street; knows the prisoner since last March; is a tailor by trade, and has been twice employed by the prisoner at the bar.—He first saw him on the 5th of March, when he gave him an order for a pair of pantaloons and a waistcoat, and took them, according to the directions he got, to New Milman-street, which address he had written in his presence: and, when he carried home the clothes, he was paid for them by the prisoner.—He did not enquire whether he was a lodger or not, but he believes he was. He saw the prisoner again about the 25th of April, in Guildford-street, when he informed him that he had got a small job for him, and if he stept back he would give it him. He went back to the same house in New Milman-street; the prisoner asked him into the parlour, and desired him to sit down. He then went up stairs and brought down a dark-coloured coat, and directed a side pocket to be put in the left side within the coat, so as to begot at conveniently. He wished the depth to be very particular, according to a small piece of paper, about the length of nine inches, which he brought down stairs with the coat. Witness waited about ten minutes; he executed the order immediately, as the prisoner was very particular in having it home that evening. Witness took it himself, and has seen the prisoner but once since in Gray's Inn-lane, about five or six days after.

Question by Lord Chief Justice Mansfield.

Did any thing pass in Gray's Inn-lane between you and the prisoner at the bar?—A. I bowed to him, my Lord, and he said he would have something more for me to do in a few days. I can't explain on what day that was, but I never saw him afterwards until this day.

Mr. John Norris sworn.

He often attends in the gallery appropriated for strangers and went down to the House on Monday, the 11th of May for that purpose. He passed into the lobby about the hou of five in the afternoon, or between that hour and te minutes past five at the utmost. He observed the prisone at the bar standing in the lobby near the outer door; h was standing beside that part of the door which is generall closed. It is a double door, and one half is usually close within which half the prisoner was standing, and any on to enter the lobby must have passed him at arms lengt He observed the prisoner as if watching for somebod coming, and he appeared to look anxiously towards t door. As well as the witness recollects, the prisoner ha his right hand within the left breast of his coat. Witne passed on to the staircase of the gallery, and almo immediately after he got into the upper lobby about twen steps, he heard the report of a pistol, and found soon aft that it was connected with the fatal event which occurr on that evening. Witness is perfectly certain that t prisoner at the bar is the person whom he saw on th evening. He has frequently seen him before in t gallery, where gentlemen who report the Parliamenta proceedings resort, and also about the passages of t House of Commons.

John Vickery sworn.

The witness is a Bow-street officer, and went on Mond afternoon to New Milman-street, to the lodgings of t prisoner, which he searched, and found, in the bed-room u stairs, a pair of pistol bags, and in the same drawer a sm

powder-flask, and some powder in a small paper, a box with some bullets, some small flints wrapped in paper, and a pistol-key to unscrew the pistol for the purpose of loading. —(Here the pistol was handed to the witness to apply the key to it, which was found to correspond.)—There was also in the lodging, some sand-paper and a bullet-mould.—(Here the bullet found in the loaded pistol was put in the mould, and found to match it in size.)—This witness was then ordered to withdraw.

M. Vincent Geo. Dowling sworn.

He was in the gallery of the House of Commons on Monday the 11th of May, and came down into the lobby on hearing the discharge of a pistol. He then saw the prisoner at the bar, and took from the pocket of his small-clothes, on the left side, a small pistol, which he examined immediately after, and found it to be loaded with powder, and the ball which is now in it. It was primed as well as loaded.—(Here the witness was directed to apply the ball to the pistol, which was now produced; and having done so, he declared it to fit it equally well as the other pistol.)—The pistols in the witness's opinion, are fellows, having the same maker's name, size, and bore. He has seen the prisoner several times before, both in the gallery and the avenues of the House of Commons. According to the best of his recollection, the last time he saw him was about six or seven days before the death of Mr. Perceval. He was frequently in the gallery during the debates; and witness sat immediately next him on one occasion during a debate; he can't exactly recollect for what time, but he dares to say for half an hour. He has been once in conversation with the prisoner in the gallery, with others.

John Addison Newman, keeper of Newgate, deposed, that the prisoner at the bar was brought into his custody on Monday night the 11th of May, and that he wore the coat which he had on when he came, until Thursday the 14th, since which it was in the custody of his assistant.

George Bowman, assistant to the preceding witness, deposed, that he saw the coat in the room lately occupied

by the prisoner at the bar, which room adjoins the chapel, and in which the prisoner has been confined since Monday last. Witness remained in the prisoner's room from Tuesday evening, till ten o'clock the next morning—(Here the prisoner solicited the indulgence of a chair, which was immediately granted to him.)—The coat worn by the prisoner had been torn in the scuffle in the lobby of the House of Commons, by some person endeavouring to take the papers from his pocket, and he wished that it should be sent to a tailor to be mended.

James Taylor, who put the side-pocket in the coat, identified it as the same that was now produced in Court.

General Gascoigne affirmed that Mr. Perceval's Christian name was "Spencer;" after which—

Lord Chief Justice Mansfield addressed the prisoner, and told him, that the case on the part of the Crown being now gone through, the period was come for him to make any defence he might wish to offer.

The prisoner asked whether his Counsel had nothing to urge in his defence?

Mr. Alley informed him that his Counsel were not entitled to speak.

The prisoner then said that the documents and papers necessary to his defence had been taken out of his pocket, and had not since been restored to him.

Mr. Garrow said, that it was the intention of the Counsel for the Crown to restore him his papers, having first proved them to be the same which were taken from him, and had not suffered any subtraction; and, that his Solicitor already had copies of them.

General Gascoigne, and Mr. Hume (M. P. for Weymouth), proved that the papers were those which had been taken from the person of the prisoner, and that they had been in their custody ever since, and had suffered no subtraction.

The papers were then handed to the prisoner, who proceeded to arrange and examine them.

The prisoner, who had been sitting till now, rose, and bowing respectfully to the Court and Jury, went into his

efence, in a firm tone of voice, and without the appearance f embarrassment or feeling for the awful situation in hich he was placed. He spoke nearly to the following effect :—

" I feel great personal obligation to the Attorney-general, for the objection which he has made to the plea of insanity. I think it is far more fortunate that such a plea as that should have been unfounded, than that it should have existed in fact. I am obliged to my counsel, however, for having thus endeavoured to consult my interest, as I am convinced the attempt has arisen from the kindest motives. That I am or have been insane, is a circumstance of which I am not apprised, except in the single instance of my having been confined in Russia.—how far that may be considered as affecting my present situation, it is not for me to determine. This is the first time that I have ever spoken in public in *this way*. I feel my own incompetency, but I trust you will attend to the substance, rather than to the manner, of my investigating the truth of an affair which has occasioned my presence at this bar. I beg to assure you that the crime which I have committed has arisen from compulsion rather than from any hostility to the man whom it has been my fate to destroy. Considering the amiable character, and universally admitted virtues, of Mr. Perceval, I feel, if I could murder him in a cool and unjustifiable manner, I should not deserve to live another moment in this world. Conscious, however, that I shall be able to justify every thing which I have done, I feel some degree of confidence in meeting the storm which assails me, and shall now proceed to unfold a catalogue of circumstances which, while they harrow up my own soul, will, I am sure, tend to the extenuation of my conduct in this honourable Court. This, as has already been candidly stated by the Attorney-general, is the first instance in which any the slightest imputation has been cast upon my moral character. Until this fatal catastrophe, which no one can more heartily regret than I do, not excepting even the family of Mr. Perceval himself, I have stood alike pure in the minds of those who have known me, and in the judgment of my own heart.

I hope I see this affair in the true light. For eight yea Gentlemen of the Jury, have I been exposed to all th miseries which it is possible for human nature to endure.- Driven almost to despair, I sought for redress in vain. Fo this affair, I had the *carte blanche* of Government, as I wi prove by the most incontestible evidence, namely, th writing of the Secretary of State himself. I come befor you under peculiar disadvantages. Many of my mos material papers are now at Liverpool, for which I have written, but have been called upon my trial before it was possible to obtain an answer to my letter.—Without wit nesses, therefore, and in the absence of many paper necessary to my justification, I am sure you will admit I have just grounds for claiming some indulgence. I must state, that after my return from my voyage to Archangel, I transmitted to his Royal Highness the Prince Regent, through my Solicitor, Mr. Windle, a petition ; and, in consequence of there being no reply, I came to London to see the result. Surprised at the delay, and conceiving that the interests of my country were at stake, I considered this step as essential, as well for the assertion of my own right, as for the vindication of the national honour. I waited upon Colonel M'Mahon, who stated that my petition had been received; but, owing to some accident had been mislaid. Under these circumstances, I drew out another account of the particulars of the Russian affair, and this may be considered as the commencement of that train of events, which led to the afflicting and unhappy fate of Mr. Perceval. This petition I shall now beg leave to read :—

[Here the prisoner read a petition to the Prince Regent, of date January 21, 1812, and containing a statement of the whole of his affairs in Russia, as stated in Mr. Bellinghams's memorial, (to a similar effect) to the house of Commons. In the course of narrating these hardships, he took occasion to explain several points, and adverted with great feeling to the unhappy situation in which he was placed, from the circumstance of his having been but lately married to his wife, then about twenty years of age, with an infant at her breast, and who had been waiting for him

at St. Petersburgh, in order that she might accompany him to England—a prey to all those anxieties which the unexpected and cruel incarceration of her husband, without any just grounds, was calculated to excite.—(In saying this, the prisoner seemed much affected.)—He also described his feelings at a subsequent period, when his wife, from an anxiety to reach her native country (England) when in a state of pregnancy, and looking to the improbability of his liberation, was obliged to quit Petersburgh unprotected, and undertake the voyage at the peril of her life, while Lord L. Gower, and Sir S. Shairpe suffered him to remain in a situation worse than death. "My God! my God!" he exclaimed, "what heart could bear such excruciating tortures, without bursting with indignation at conduct so diametrically opposite to justice and to humanity. I appeal to you, gentlemen of the jury, as men—I appeal to you as brothers—I appeal to you as Christians—whether, under such circumstances of persecution, it was possible for me to regard the actions of the Ambassador and Consul of my own country, with any other feelings but those of detestation and horror! In using language thus strong, I feel, that I commit an error, yet does my heart tell me, that men who lent themselves thus to bolster up the basest acts of persecution, there are no observations, however strong, which the strict justice of the case would not excuse my using towards them. Had I been so fortunate as to have met Lord Leveson Gower, instead of that truly amiable, and highly-lamented individual, Mr. Perceval, he is the man who should have received the ball!!!"

Having concluded reading this Memorial, and the observations with which he had interspersed it, he went on to state, that, on coming to England he had represented his hardships to Marquis Wellesley, from whose Secretary he had received the following answer:—

"Sir,

"Foreign Office, January, 31, 1810.

"I am directed by the Marquis Wellesley to transmit to you the papers which you sent to this office, accompanied

by your letter of the 27th of last month; and I am to inform you, that his Majesty's Government is precluded from interfering in the support of your case, in some measure, by the circumstances of the case itself, and entirely so at the present moment, by the suspension of intercourse with the Court of St. Petersburgh.

"I am, &c.

(Signed) "CULLING CHARLES SMITH.

"John Bellingham, Esq."

"I would beg to know (he continued) what course it was possible for me, after receiving this letter, to pursue? If his Majesty's Government thus refused me redress, what must be my next step? The only thing I could do was, to bring a serious charge against Sir Stephen Shairpe and Lord Leveson Gower, which I accordingly did, by addressing a complete statement of my case to the Privy Council, from whom I received the following answer:—

"SIR,

"Council Office, Whitehall, May 16, 1810.

"I am directed, by the Lords of the Council, to acquaint you, that their Lordships having taken into consideration your petition on the subject of your arrest in Russia, do not find that it is a matter in which their Lordships can, in any manner, interfere.

"I am, Sir,

"Your most obedient humble Servant,

"W. FAWKNER.

"Mr. John Bellingham."

"Having then understood that any remuneration, which I might conceive myself entitled to, I could only procure through the medium of Parliament, I applied myself to several Members of Parliament, to ascertain what line of conduct I ought to pursue, in order to obtain that desirable

end. These gentlemen told me, that I should make application to the Chancellor of the Exchequer—thus petitioning for leave to bring in a petition upon a subject which, being well founded, became a matter of right, and not of favour. In consequence, however, of this advice, I did write a letter to Mr. Perceval, from whom I received an answer, dated Downing-street, May 27, 1810, as follows:

Sir,

"Downing-street, May 27, 1810.

"I am desired by Mr. Perceval to state to you, in reply to your letter of yesterday, that the time for presenting private petitions has long since passed; and that Mr. Perceval cannot encourage you to expect his sanction in introducing into the House a petition, which Mr. Perceval thinks is not of a nature for the consideration of Parliament.

"I am, Sir,

"Your obedient servant,

"THOMAS BROOKSBANK.

"Mr. Bellingham."

"I apprehend, however, that this information is not founded in fact. If I am wrong, I see several gentlemen around me, connected with the House of Commons, who will set me right. That there is no particular time limited for the presentation of private petitions, and that they might be brought forward at any period of the Sessions, I am inclined to think the usages of the House will permit. Petitions for private bills, I am ready to allow, must be brought in within a prescribed period; but in cases in which petitions are presented under circumstances like mine, which arise from unforeseen events, it is utterly impossible to fix any precise period.—The latter clause of Mr. Perceval's, which states that my claims are not of a nature for the consideration of Parliament appears to me inexplicable. If they are not referred to that branch of the Legislature, to whose consideration then ought they to be submitted? Yet

thus was I handed about from man to man, and from place to place. Suppose this had been the case with either of you, gentlemen of the jury, and that your sufferings had been equal to mine, what would have been your feelings? It is the duty of every individual to apply through the proper channel for redress, and through what other channel ought you to apply but through the heads of Government? Upon this occasion, however, those whose duty it was to have redressed my grievances, treated them with indifference, and were deaf to the dictates of justice. In consequence of this denial, on the part of Mr. Perceval, to investigate a business in which the national honour was concerned, I was left at a loss how to act, or what course to pursue; I, therefore, returned home, and remained inactive for nearly eighteen months, when, finding that I could no longer hold up against the ruinous effects of those failures which were the consequence of the injustice with which I had been treated, every one coming upon me for that which I was unable to pay, and my family borne down by the deepest affliction at the distresses to which they were exposed, I found it necessary to renew my applications, which I did to the Treasury, and submitted to them a petition, reiterating those claims I had so unsuccessfully made before. To this application I received for answer:—

"Sir,

"Treasury Chambers, Feb. 24, 1810.

"Having laid before the Lords Commissioners of his Majesty's Treasury your petition of the 16th instant, submitting a statement of losses sustained by you in Russia, and praying relief, I am commanded by their Lordships to return to you the documents transmitted therewith, and to acquaint you that my Lords are not able to afford you any relief.

"I am, &c.

"GEO. HARRISON.

"John Bellingham, Esq."

I next made application to his Royal Highness the Prince Regent to have my affairs laid before Parliament, explaining

anew the disgraceful conduct of the Consul and Ambassador at Russia, who, by suffering me to be so persecuted, had been guilty of an act which brought eternal disgrace on the country.—(Here he read documents similar to the former, and repeated all his statements respecting the manner in which he had been treated in Russia.)—The answer I received was as follows:—

"Sir,

"Whitehall, 18th Feb. 1812.

"I am directed by Mr. Secretary Ryder to acquaint you that your petition to his Royal Highness the Prince Regent has been referred, by the command of his Royal Highness, for the consideration of the Lords of his Majesty's most Honourable Privy Counsel.

"I am, Sir,

"Your most obedient humble Servant.

"J. BECKETT.

"John Bellingham, Esq."

"After this I made application to the Privy Council-office, and had communications with Lord Chetwynd and Mr. Buller, the two clerks of that Council, who informed me that I had nothing to expect from their decision. I then applied to know the reason in writing, why the Privy Council declined to act in obedience to the instructions of his Royal Highness the Prince Regent; which request I was informed by Mr. Litchfield could not be complied with.

Under these circumstances, I communicated the whole to his Royal Highness, and enclosed to him a petition to be laid before Parliament.—(Here the petition was read, as also the answer from Mr. Beckett of the 9th March, 1812, stating that his Royal Highness had signified no commands thereupon, and returning the petition accordingly.)—So baffled (he pursued) what can a man do—reduced to the last extremity of distress, without having been guilty of a single political crime, which could call for reprehension? Here I was forced to the commission of that melancholy act—

(bursting into tears)—which I, as well as my country, have so sincerely to regret. My wife and my poor children, crying for the means of existence, what alternative had I but to seek redress by some such dreadful act as that for which I have now to answer? His Majesty's Ministers, referring me backwards and forwards like a shuttle-cock, without shewing the slightest disposition even to regard my wrongs as deserving of the smallest consideration, in duty to myself, I was forced to seek justice, and avenge my own cause. I was told I could not get my case before Parliament without the sanction of his Majesty's Ministers. To General Gascoigne, for the politeness and attention with which he heard my statement, and the disposition he evinced to relieve me, were it in his power, I have to express my gratitude. He informed me, if any of his Majesty's Ministers would sanction my claims, and that I was able to authenticate the particulars I had related, he should be happy to meet my wishes by laying my petition before the House. Supposing now that I should feel little difficulty in obtaining such sanction, and satisfied that by a journey to Liverpool I should be able to produce documents which would fully establish the truth of every word I had uttered, I began to hope that the goal of my long-hoped-for wishes was now in view. I, therefore, directed a letter to Mr. Ryder, requesting the permission I understood to be essential to my purpose. Here, however, my expectations were again blasted, and those flattering dreams of success which had filled my mind with joy were dashed for ever from my reach; and this letter at once shewed me that I had no justice to look for.—(Here he read the letter as follows:)—

"SIR,

"Whitehall, 20th March, 1812.

"I am directed by Mr. Secretary Ryder to acknowledge the receipt of your letter of the 17th instant, requesting permission, on the part of his Majesty's Ministers, to present your petition to the House of Commons; and in reply I am to acquaint you, that you should address your

plication to the Right Honourable the Chancellor of the Exchequer.

"I am, Sir,

"Your most obedient, humble Servant,

"J. BECKETT.

"John Bellingham, Esq."

"At last, then, I was told, I had nothing to expect, and was forced reluctantly to notice, in a more determined manner, the ill-treatment I had received. To this end I inclosed the particulars of my case to the Magistrates of Bow-street, with the following letter:—

TO THEIR WORSHIPS THE POLICE MAGISTRATES OF THE PUBLIC-OFFICE, IN BOW-STREET.

"Sirs,

"I must regret its being my lot to have to apply to your Worships under most peculiar and novel circumstances,—for the particulars of the case, I refer to the enclosed letter from Mr. Secretary Ryder, the notification from Mr. Perceval, and my petition to Parliament, together with the printed papers herewith. The affair requires no further remark, than that I consider his Majesty's Government to have completely endeavoured to close the door of justice, in declining to have, or even to permit, my grievances to be brought before Parliament for redress, which privilege is the birth-right of every individual.

"The purport of the present is, therefore, once more to solicit his Majesty's Ministers, through your medium, to let what is right and proper be done in my instance, which is all I require. Should this reasonable request be finally denied, I shall then feel justified in executing justice myself—in which case I shall be ready to argue the merits of so reluctant a measure with his Majesty's Attorney-

General, wherever and whenever I may be called upon so to do.—In the hopes of averting so abhorrent but compulsive an alternative,

"I have the honour to be, Sirs,

"Your very humble and obedient Servant,

"JOHN BELLINGHAM.

"9, New Milman-street, March 23, 1812."

"In the course of two days I called again at Bow-street for an answer to this letter, when I received a little memorandum, in Mr. Read's writing, in which he states that he cannot interfere in my affairs, and that he had felt it his duty to communicate the contents of my packet to the Secretary of State. Had he done otherwise, he would have been extremely reprehensible, as events have turned out so calamitously—events which go to my heart to allude to—*(much affected)*—At last, in reply to a letter of the 13th of April, I received a final and direct answer, which at once convinced me that I had no reason to expect any adjustment whatever of those claims which I had on his Majesty's Government, for my criminal detention in Russia. It was in these terms:—

"Sir,

Whitehall, April 18th, 1812.

"I am directed by Mr. Secretary Ryder to acknowledge the receipt of your letter of the 13th instant, requesting to be informed 'in what stage your claim on his Majesty's Government for criminal detention in Russia now is.' In reply, I am to refer you to my several letters of the 14th of February, 9th, and 20th of March, by which you have been already informed, that your first petition to his Royal Highness the Prince Regent, praying for remuneration, had been referred to the consideration of the Lords of the Council. That, upon your second memorial, praying his Royal Highness to give orders that the subject should be

brought before Parliament, his Royal Highness had not been pleased to signify any commands. And, lastly, in answer to your application to Mr. Ryder, requesting permission on the part of his Majesty's Ministers to present your petition to the House of Commons, you were informed that your application should be addressed to the Right Hon. the Chancellor of the Exchequer.

"I am, Sir,

"Your most obedient humble Servant,

"J. BECKETT.

"J. Bellingham, Esq."

"After this, on personal application at the office of the Secretary of State, and intimating my intention to take justice in my own hand, I was told, by the mouth of Mr. Hill, that I was at liberty to take such measures as I thought proper. Who then is to be reprobated in this case?—those who were regardless of every feeling of honour and of justice, or him who, spurred on by injury and neglect, and with a due notice of his intentions, pursued the only course likely to lead to a satisfactory termination of calamities which had weighed him down to the lowest ebb of misery!—I will now only mention a few observations by way of defence.—You have before you all the particulars of this melancholy transaction. Believe me, gentlemen, the rashness of which I have been guilty has not been dictated by any personal animosity to Mr. Perceval, rather than injure whom, from private or malicious motives, I would suffer my limbs to be cut from my body.—*(Here the prisoner seemed again much agitated.)*

"If, whenever I am called before the tribunal of God, I can appear with as clear a conscience as I now possess in regard to the alledged charge of the wilful murder of the unfortunate gentleman, the investigation of whose death has occupied your attention, it would be happy for me, as essentially securing to me eternal salvation—but that is

impossible. That my arm has been the me melancholy and lamented exit, I am ready to allo constitute murder, it must clearly and absolutely b have arisen from *malice prepense*, and with a malici as I have no doubt the learned judge will shortly l explaining the law on the subject. If such is the guilty—if not, I look forward with confidenc acquittal.

"That the contrary is the case, has been m and irrefutably proved; no doubt can rest upon y as my uniform and undeviating object has been, vour to obtain justice, according to law, for a se most long-continued and unmerited sufferings ever submitted to a Court of Law, without ha guilty of any other crime than an appeal for re most flagrant injury offered to my Sovereign country, wherein my liberty and property hav sacrifice for the continued period of eight yea total ruin of myself and family (with authentica ments of the truth of the allegations), merely was Mr. Perceval's pleasure that justice shou granted, sheltering himself with the idea of ther alternative remaining, as my petition to Parli redress could not be brought forward (as having a tendency) without the sanction of his Majesty's and that he was determined to oppose, by tram on law and right.

"Gentlemen, where a man has so strong and s criminal case to bring forward as mine has been, of which was purely national, it is the bounde Government to attend to it; for justice is a matte and not of favour. And when a Minister is so un and presumptuous at any time, but especially in such urgent necessity, to set himself above both reign and the Laws, as has been the case with Mr. he must do it at his personal risk; for by the law be protected.

"Gentlemen, if this is not fact, the mere Minister would be law; it would be this thing t

the other thing to-morrow, as either interest or caprice might dictate.—What would become of our liberties? where would be the purity and the impartiality of the justice we so much boast of?—To Government's non-attendance to the dictates of justice is solely to be attributed the melancholy catastrophe of the unfortunate gentleman, as any malicious intention to his injury was the most remote from my heart. Justice, and justice only, was my object, which Government uniformly objected to grant; and the distress it reduced me to, drove me to despair in consequence; and, purely for the purpose of having this singular affair legally investigated, I gave notice at the Public office, Bow-street, requesting the Magistrates to acquaint his Majesty's Ministers, that if they persisted in refusing justice, or even to permit me to bring my just petition into Parliament for redress, I should be under the imperious necessity of executing justice myself, solely for the purpose of ascertaining, through a Criminal Court, whether his Majesty's Ministers have the power to refuse justice to a well authenticated and irrefutable act of oppression, committed by the Consul and Ambassador abroad, whereby my Sovereign's and country's honour were materially tarnished, by my person endeavouring to be made the stalking-horse of justification, to one of the greatest insults that could be offered to the Crown.

"But in order to avoid so reluctant and abhorrent an alternative, I hoped to be allowed to bring my petition to the House of Commons—or that they would do what was right and proper themselves.

"On my return home from Russia, I brought most serious charges to the Privy Council, both against Sir Stephen Shairpe and Lord Grenville Levison Gower, when the affair was determined to be purely national, and consequently it was the duty of his Majesty's Ministers to arraign it by acting on the resolution of the Council. Suppose, for instance, the charge I brought could have been proved to be erroneous, should not I have been called to a severe account for my conduct—but, being true, ought I not to have been redressed?

by a Mr. Hill, he thought it would be useless to
making further application to Government, and that
at liberty to take such measures as I thought prop
redress.

"Mr. Beckett, the Under Secretary of State, confi
the same, adding, that Mr. Perceval had been consulted
could not allow my petition to come forward. Thus,
direct refusal of justice, with a *carte blanche*, to a
whatever manner I thought proper, were the sole cau
the fatal catastrophe—and they have now to reflect on
own impure conduct for what has happened.

"It is a melancholy fact, that the warping of ju
including all the various ramifications in which it ope
occasions more misery in the world, in a moral sense,
all the acts of God in a physical one, with whic
punishes mankind for their transgressions; a confirm
of which, the single, but strong, instance before you i
remarkable proof.

"If a poor unfortunate man stops another upo
highway, and robs him of but a few shillings, he ma
called upon to forfeit his life. But I have been robb
my liberty for years, ill-treated beyond precedent,
from my wife and family, bereaved of all my prope
make good the consequences of such irregularities
prived and bereaved of every thing that makes life val

security, fancying himself beyond the reach of law or justice: the most honest man suffers, while the other goes forward in triumph to new and more extended enormities.

"We have had a recent and striking instance of some unfortunate men, who have been called upon to pay their lives as the forfeit of their allegiance, in endeavouring to mitigate the rigours of a prison.—(Alluding to the trials of Cundell, Smith, and others, for high treason, at Horsemonger-lane, see page 289.)—But, Gentlemen, where is the proportion between the crimes for which they suffered, and what Government has been guilty of, in withholding its protection from me? Even in a Crown case, after years of sufferings, I have been called upon to sacrifice all my property, and the welfare of my family, to bolster up the iniquities of the Crown, and then am prosecuted for my life, because I have taken the only possible alternative to bring the affair to a public investigation, for the purpose of being enabled to return to the bosom of my family with some degree of comfort and honour. Every man within the sound of my voice must feel for my situation; but by you, gentlemen of the jury, it must be felt in a peculiar degree, who are husbands and fathers, and can fancy yourselves in my situation.—I trust that this serious lesson will operate as a warning to all future Ministers, and lead them to do the thing that is right, as an unerring rule of conduct; for, if the superior classes were more correct in their proceedings, the extensive ramifications of evil would, in a great measure, be hemmed up—and a notable proof of the fact is, that this Court would never have been troubled with the case before it, had their conduct been guided by these principles.

"I have now occupied the attention of the Court for a period much longer than I intended; yet, I trust, they will consider the awfulness of my situation to be a sufficient ground for a trespass, which, under other circumstances, would be inexcusable. Sooner than suffer what I have suffered for the last eight years, however, I should consider five hundred deaths, if it were possible for human nature to endure them, a fate far more preferable. Lost so long to all the endearments of my family, bereaved of all the blessings of

life, and deprived of its greatest sweet, liberty, as the weary traveller, who has long been pelted by the pitiless storm, welcomes the much desired inn, I shall receive death as the relief of all my sorrows. I shall not occupy your attention longer; but, relying on the justice of God, and submitting myself to the dictates of your conscience, I submit to the *fiat* of my fate, firmly anticipating an acquittal from a charge so abhorrent to every feeling of my soul."

Here the prisoner bowed, and his Counsel immediately proceeded to call the following witnesses:—

Anne Billet, who appeared under the strongest impressions of grief and horror, being sworn, deposed, that she lived in the county of Southampton; she came to London, in consequence of having read in the newspapers of the prisoner having been apprehended for the murder of Mr. Perceval. She was induced to come to town, from a conviction that she knew more of him than any other friend. She knew him from a child. He resided latterly at Liverpool, from whence he came at Christmas last. His wife and children now reside there. She knew him to be a merchant. His father died insane in Titchfield-street, Oxford-road; she firmly believed that, for the last three or four years, the prisoner was in a state of derangement, respecting the business which he had been pursuing. She had not seen him for 12 months until the present moment. She always thought him deranged when his Russian affairs were the subject of conversation. She knew him at Liverpool about a year and a half ago; and she and his friends always avoided the mention of those affairs, as they always proved a source of uneasiness from their effect upon his mind.

Cross-examined by Mr. GARROW.

She deposed, that when in London with the prisoner about 12 months since, he was pursuing the same object, that is, going to different Government offices to seek redress of his grievances. He was then in a state of perfect derangement, as he had been ever since his return from Russia. His wife carries on the millinery business at

Liverpool. He has some male friends, but no partner. There was one instance which occurred at the period to which she was alluding, which strongly confirmed her in the opinion of his insanity. About Christmas he told his wife and witness, that now he was come from Russia he had realized more than 100,000*l.* with which he intended to buy an estate in the west of England, and to have a house in London.—He admitted that he had not got the money, but said it was the same as if he had, for he had gained his cause in Russia, and our government would make good all the loss he had sustained. He repeatedly said to her and to his wife, that this was assuredly the fact. Upon one occasion he took Mrs. Bellingham and her to the Secretary of State's office, where they saw Mr. Smith, who said if he had not ladies with him, he would not have come to him at all.—The prisoner told Mr. Smith, that the reason why he brought them was, to convince them that his claims were just, and that he would very shortly receive the money. Mr. Smith told him he could say nothing upon this subject; he had already sent him a letter, alledging that he had nothing to expect. The prisoner then requested Mr. Smith would answer him one question—"My friends say I am out of my senses; is it your opinion that I am so?" Mr. Smith said, it was a very delicate question, and one he did not wish to answer. Having then departed, when they got into the carriage which waited for them, he took hold of his wife's hand, and said, "I hope, now, my dear, you are convinced all will now end as we wish." Since that period she knew that he had been pursuing his object *alone*, his wife remaining at Liverpool. She had a letter from his wife last week, stating that circumstance. She knew of no restraint having been exercised upon his person at any time during her acquaintance with him. No one medical gentleman practised in disorders of the brain had ever been called to his assistance. At no period during the whole of his life had he ever been under any control, or deprived of the same freedom of actions with other persons. Had he ever been subject to any such restraints, she must have known it.

Mrs. Clarke, of Bagnio-court, Newgate-street, had known the prisoner several years. She knew he had been from Russia about two years and a half, during which time he was very much deranged. She saw him six or seven times since last January, in North-street, Red Lion-square.

Cross-examined.—She never knew that he was subject to any restraint.—She knew that he was alone from Liverpool, and that the controul of any of his affairs had never been taken from him.

Mrs. Roberts, in whose house the prisoner lodged, was then called, but did not appear; her servant, however,

Catherine Fidgeon, deposed, that her mistress was so extremely unwell as to be unable to attend in pursuance of the subpœna she had received. She lived at No. 9, New Milman-street. The prisoner lodged with her mistress above four months. She recollected the day on which he was taken into custody. The day preceding (Sunday) she thought he had been somewhat confused. On the Monday he had some conversation with his washerwoman relative to the price she charged for washing his dressing-gown. She asked a shilling, and he said, if he had known the price would have been more than eight-pence, he would have washed the gown himself.

Cross-examined.—He was a favourite in the family. He breakfasted at home, but dined very seldom. He was very regular in his hours. Mrs. Roberts and her little boy and him went to the Foundling Hospital to hear divine service, on Sunday morning. He dined alone that day at home. They were to have gone to the Magdalen in the evening; but, in consequence of its being very wet, they went again to the Foundling. Mrs. Roberts, her son, and the prisoner, went the next day to the European Museum. Her mistress and the little boy came home alone at half past five o'clock. She heard that the prisoner was apprehended for murder between six and seven o'clock. She remembered a man bringing home a coat three weeks or a month back. She never saw either of the pistols, or any of the apparatus belonging thereto. The prisoner was occupied in writing

letters on the forenoon of the day on which the murder was committed, and was so much engaged in this task, that when the washerwoman came, he did not admit her for nearly half an hour. He seemed to have a good deal of business, and was frequently writing. She never knew any surgeon or doctor attend him.

Here Mr. Alley, counsel for the prisoner, directed the door-keeper to call at the door, for the purpose of ascertaining whether any witnesses had arrived from Liverpool. No answer was then returned; but shortly afterwards Mr. Sheriff Heygate announced to the Bench, that he had just been informed two persons had, within the last few minutes, arrived from Liverpool in a post-chaise and four, to give evidence in favour of the prisoner. These persons, being admitted into Court, looked at the prisoner, but declared he was not the person they had supposed him to be. They mentioned the circumstance of their having heard of the apprehension of the prisoner, and knowing something of a person bearing his description, in whose conduct they had seen frequent marks of derangement, they had come to London to give evidence in his favour.

The evidence being now concluded,

Lord Chief Justice Mansfield proceeded to sum up the evidence. He commenced by observing to the jury that they had now to try an indictment which charged the prisoner at the bar with the wilful murder (here the learned judge was so much overcome by his feelings that he could not proceed for several seconds) of Mr. Spencer Perceval, (in a faint voice), who was murdered with a pistol loaded with a bullet. When he mentioned the name of—(here again his Lordship was sincerely affected, and burst into tears, in which he was joined by the greatest portion of the persons in Court)—a man so dear and so revered as that of Mr. Spencer Perceval, he found it difficult to suppress his own feelings. As, however, to say any thing of the distinguished talents and virtues of that amiable man might tend to excite improper emotions in the minds of the jury, he should withhold those feelings which pressed for utterance from his heart, and leave them to form their

judgment upon the evidence which had been adduced in support of the case, unbiassed by any unfair indignation which they might feel against his murderer by any description, however faint, of the excellent qualities of the deceased. They were to try the unfortunate man at the bar, in the same manner as if he were arraigned for the murder of any other man. The law protected the lives of all his Majesty's subjects alike, and the crime was the same whether committed upon the person of the highest and most distinguished character in the country, as upon that of the lowest. The only question they had to try was, whether the prisoner did wilfully and maliciously murder Mr. Spencer Perceval or not? It was not necessary to go very minutely into the evidence which had been produced to the fact, as there could little doubt as to the main object of their inquiry. The first thing they had to say was, whether the person charged with having murdered Mr. Perceval had so murdered him, and whether that murder had been committed with a pistol bullet? The learned judge then proceeded to read the testimony given by the several witnesses examined. That of Mr. W. Smith, surgeon, Lynn, and Mr. Burgess, clearly substantiated the fact, that the deceased had died in consequence of a pistol which had been discharged into his breast, and that the hand of the prisoner was the hand which had discharged that weapon. With respect to the deliberation that had been proved by other witnesses, from what he could collect from the prisoner's defence, it seemed to amount to a conclusion, that he conceived himself justified in what he had done, by his Majesty's Government having refused to redress some supposed grievances. Such dreadful reasoning could not be too strongly reprobated. If a man fancied he was right, and in consequence conceived that if that fancy was not gratified, that he had a right to obtain justice by any means which his physical strength gave him, there was no knowing where so pernicious a doctrine might end. By the same reason every person who presided in a court of Justice in the country, who might refuse to meet the wishes of a plaintiff, would be liable to revenge equally atrocious. In another part of the

prisoner's defence, which was not, however, urged by himself, it was attempted to be proved, that at the time of the commission of the crime he was insane. With respect to this the law was extremely clear. If a man was deprived of all power of reasoning, so as not to be able to distinguish whether it was right or wrong to commit the most wicked or the most innocent transaction, he could not certainly commit an act against the law. Such a man, so destitute of all power of judgment, could have no intention at all. In order to support this defence, however, it ought to be proved by the most distinct and unquestionable evidence, that the criminal was incapable of judging between right and wrong. It must, in fact, be proved, beyond all doubt, that at the time he committed the atrocious act with which he stood charged, that he did not consider murder was a crime against the laws of God and nature. There was no other proof of insanity which would excuse murder or any other crime. There were various species of insanity. Some human creatures were void of all power of reasoning from their birth—such could not be guilty of any crime. There was another species of madness, in which persons were subject to temporary paroxysms, in which they were guilty of acts of extravagance—this was called lunacy. If these persons committed a crime when they were not affected with the malady, they were, to all intents and purposes, amenable to justice. So long as they could distinguish good from evil, so long would they be answerable for their conduct. There was a third species of insanity, in which the patient fancied the existence of injury, and sought an opportunity of gratifying revenge by some hostile act. If such a person was capable, in other respects, of distinguishing right from wrong, there was no excuse for any act of atrocity which he might commit under this description of derangement. The witnesses who had been called to support this extraordinary defence, had given a very singular account, in order to shew that, at the time of the commission of the crime, the prisoner was insane. What might have been the state of his mind some time ago was perfectly immaterial. The single question was, whether at the time

this fact was committed, he possessed a sufficient degree of understanding to distinguish good from evil, right from wrong, and whether murder was a crime not only against the law of God, but against the law of his country.—Here it appeared that the prisoner had gone out like another man; that he came up to London by himself at Christmas last; that he was under no restraint; that no medical man had attended him to cure his malady; that he was perfectly regular in all his habits; in short, there was no one proof adduced to shew that his understanding was so deranged as not to enable him to know, that murder was a crime. On the contrary, the testimony adduced in his defence had most distinctly proved, from a description of his general demeanour, that he was in every respect a full and competent judge of all his actions. Having then commented on the evidence of Mrs. Clarke, Mrs. Billet, and Mary Fidgeon, his Lordship concluded by exhorting the jury to take all the facts into their most serious consideration. If they had any doubt they would give the prisoner the benefit of that doubt; but if they conceived him guilty of the crime alledged against him, in that case they would find him guilty.

The jury, after a consultation of two minutes and a half in the box, expressed a wish to retire; and an officer of the Court being sworn, accompanied them to the jury room. As they passed out, the prisoner regarded them separately with a look of mingled confidence and complacency. They were absent fourteen minutes; and, on their return into Court, their countenances acting as indices to their minds, at once unfolded the determination to which they had come. The prisoner again directed his attention to them in the same manner as before.

The names being called over, and the verdict asked for in the usual form, the Foreman in a faltering voice, announced the fatal decision of—Guilty.

The prisoner's countenance here indicated surprise, unmixed, however, with any demonstrations of that concern which the awfulness of his situation was calculated to produce.

The Recorder then proceeded to pass sentence in a most solemn and affecting manner, which bathed many of the auditors in tears. The style was unusually excellent, and so powerful was its effect upon us, as well as upon the whole Court, that we feel we can barely give its substance, which was nearly as follows:—

"Prisoner at the bar! you have been convicted by a most attentive and a most merciful Jury, of one of the most malicious and atrocious crimes it is in the power of human nature to perpetrate—that of wilful and premeditated murder! A crime which, in all ages, and in all nations has been held in the deepest detestation—a crime as odious and abominable in the eyes of God, as it is hateful and abhorrent to the feelings of man. A crime which, although thus heinous in itself, in your case has been heightened by every possible feature of aggravation. You have shed the blood of a man admired for every virtue which can adorn public or private life—a man, whose suavity and meekness of manner was calculated to disarm all political rancour, and to deprive violence of its asperity. By his death, charity has lost one of its greatest promoters; religion, one of its firmest supporters; domestic society, one of its happiest and sweetest examples; and the country, one of its brightest ornaments; a man, whose ability and worth was likely to produce lasting advantages to this Empire, and ultimate benefit to the world. Your crime has this additional feature of atrocious guilt, that in the midst of civil society, unarmed, defenceless, in the fulfilment of his public duty, and within the very verge of the sanctuary of the law, your impure hand has deprived of existence a man, as universally beloved as pre-eminent for his talents and excellence of heart. To indulge in any conjecture as to the motive which could have led you to the commission of this atrocious deed, would be to inquire into all that is base and perfidious in the human heart—Assassination is most horrid and revolting to the soul of man, inasmuch as it is calculated to render bravery useless, and cowardice successful. It is, therefore, that the voice of God himself has declared, "that he that sheddeth man's blood, by man

shall his blood be shed." In conformity to these laws, which God hath ordained, and men have obeyed, your disgraced and indignant country, by the example of your ignominious fate, will appreciate the horror of your offence, and set up a warning to all others who might hereafter be tempted to the perpetration of a crime of so deep a dye. A short time, a very short time, remains for you to supplicate for that mercy in another world which public justice forbids you to expect in this. Sincerely do I hope that the short interval that has elapsed since the commission of this atrocious offence has not been unemployed by you in soliciting that pardon from the Almighty which I trust your prayers may obtain, through the merits of your Redeemer, whose first attribute is mercy. It only now remains for me to pass the dreadful sentence of the law, which is—

"That you be taken from hence to the place from whence you came, and from thence to a place of execution, where you shall be hanged by the neck until you be dead; your body to be dissected and anatomized!"

The only persons that saw Bellingham, from the sentence to the moment of execution, besides the Ordinary and keepers, were Mr. Alderman Wood, Mr. Sheriff Leygate, Mr. Stephen, M. P. brother-in-law to Mr. Wilberforce, Mr. Joseph Butterworth, of Fleet-street, and the Rev. Mr. Wilson, of John-street Chapel. The four first went to the cell on Sunday, at one o'clock. Bellingham was asked how he did. He answered very cheerfully, "I am as well as I can be with bread and water." Mr. Stephen addressed him, by saying, that he was a very intimate friend of Mr. Perceval; that he did not come to see him out of any curiosity, but with a sincere desire to know if he were fitted for another world; and that he was certain, it was of all things what Mr. Perceval wished, if he would declare this to be the case. Bellingham replied, that he had no enmity towards Mr. Perceval, and that he would as soon have killed one of his own children; but he was bound in justice to do what he did. He was about to enter fully into a justification of his case, which he had always done since his confinement; but Mr. Stephen begged him to dismiss entirely

feeling of that nature; and, in a very energetic address of half an hour, endeavoured to impress on his mind the necessity of a due penitence. He appeared very much pleased with it. Mr. Butterworth also addressed him at some length. During the whole of the time he was very attentive. He was asked whether he was of the Church of England? He said, Yes; but that he went to other places of worship, for religion was in the heart, and not in the forms. He said he had been attended in the morning by Dr. Ford, the Ordinary, from whom he had received comfort and consolation; that he was to see him again on Monday morning at half past six. He was asked whether he would like to have another clergyman that evening? He said he should like it very much.

Mr. Stephen undertook to get a clergyman to attend, and in the evening Mr. Wilson, of John-street Chapel, went to him. Mr. Newman mentioned that the Town Clerk of Liverpool and a Mr. Parden had called, and said that his wife and children would be taken care of. He received this information without any emotion; but said he should like to have seen Mr. Parden. Mr. Parden, and he, it is believed, had some business together. It is said he wrote to Mr. Parden on the Monday of the assassination, that he should play a card that would surprise them all. During the whole of this interim, which was full an hour, Bellingham appeared composed, and conducted himself with great firmness, not expressing any sorrow for the act, except as to the person of Mr. Perceval.

He frequently said he had prepared himself for some time past to go to his Father, and that he should be pleased when the hour arrived. When the party were retiring, he asked Mr. Sheriff Heygate, to allow him a hair-dresser to shave him, as he was not fit to be seen by the clergyman. Mr. Heygate told him he would not allow any person to see him without he was present, and that he was afraid he could not see him again that afternoon. He replied that his hands might be tied.

On Saturday the Ordinary made several visits to him. He appeared affected with his situation, but persisted in

defending the crime he had committed; and was altogether insensible to those exhortations which should induce him to propitiate the mercy of the Almighty, by the only atonement in his power—an unreserved acknowledgment of his guilt.

He had several hours sleep during the night, and wrote a letter to his wife, which was delivered to Mr. Newman; and then retired to bed: but was restless and had very little sleep. He complained of the cell being unpleasant to him, and expressed an impatience for the arrival of Monday morning, when he said he should be relieved from his troubles, and he hoped to find more peace in heaven than he had experienced in this world. He requested to know if he could have some tea for breakfast, instead of bread and water; which could not be complied with.

The Ordinary attended him again between nine and ten on Sunday morning in his cell; he appeared rather dejected; but dwelt on the promises of the Gospel, and hopes of a blessed immortality, through the mediation of the Redeemer. He was particular in his enquiries as to the hour and place of execution; and remarked that—"life had been a weary pilgrimage to him—the bliss fleeting and illusory; the misery permanent and real; in laying it down he had no vain regrets to make." In this strain he continued the conversation for some time, but could not be brought to make any acknowledgment of the crime he had committed.

About six o'clock on Monday morning after sentence, he rose and dressed himself with great composure, and read for half an hour in the prayer-book. Dr. Ford being then announced, the prisoner shook him most cordially by the hand, and left his cell for the room allotted for the condemned criminals. He repeated the declaration which he had frequently before made, that his mind was perfectly calm and composed, and that he was fully prepared to meet his fate with resignation. After a few minutes spent in prayer, the Sacrament was administered to him; during the whole of which ceremony he seemed to be deeply impressed with the truths of the Christian Religion, and repeatedly uttered some pious ejaculations. After the

s ceremony was ended, the prisoner was informed
Sheriffs were ready. He answered in a firm tone of
"I am perfectly ready also."
executioner then proceeded to fasten his wrists
r. Bellingham turned up the sleeves of his coat,
ıped his hands together, presenting them to the man
ld the cord, and said, "So." When they were
l, he desired his attendants to pull down his sleeves,
o cover the cord. The officer then proceeded to
his arms by a rope behind him; when the man had
, he moved his hands upwards, as if to ascertain
he could reach his neck, and asked whether they
t his arms were sufficiently fastened, saying, that he
ıtruggle, and that he wished to be so secured as to
t any inconvenience arising from it, and requested
e might be tightened a little, which was accordingly
During the whole of the awful scene, he appeared
ly composed and collected; his voice never faltered;
st before he left the room to proceed to the place of
on, he stooped down his head, and appeared to wipe
ear. He was then conducted by the Lord Mayor,
, under Sheriffs, and Officers (Dr. Ford walking with
from the room in which he had remained from the
s irons were taken off, through the Press-yard, and
son, to the fatal spot, before the debtors' door at
ıte.
ascended the scaffold with rather a light step, a
ıl countenance, and a confident, a calm, but not at
exulting air. He looked about him a little lightly
pidly, which seems to have been his usual manner
sture.
ıre the cap was put over his face, Dr. Ford asked if
any last communication to make, or any thing
ılar to say. He was again proceeding about Russia
is family, when Dr. Ford stopped him, calling his
on to the eternity into which he was entering, and
g, Bellingham praying fervently also. The clergyman
sked him how he felt; he answered, calmly and
ed, "he thanked God for having enabled him to

meet his fate with so much fortitude and resignation. When the executioner proceeded to put the cap over his face, Bellingham objected to it, and expressed a strong wish that the business could be done without it; but Dr. Ford said that was not to be dispensed with. While the cap was putting on and fastening on, it being tied round the lower part of the face by the prisoner's neck-handkerchief, and just when he was tied up, about a score of persons in the mob set up a loud and reiterated cry of "God bless you!" "God save you." This cry lasted while the cap was fastening on; and, though those who set it up were loud and daring, it was joined in by but very few. The Ordinary asked Bellingham if he heard what the mob were saying? He said he heard them crying out something, but he did not understand what it was, and enquired what it. The cry having by this time ceased, the clergyman did not inform him what it was. The fastening on of the cap being accomplished, the executioner retired. A perfect silence ensued. Dr. Ford continued praying with him for about a minute, while the executioner went below the scaffold, and preparations were made to strike away its supporters. The clock struck eight; and while it was striking the seventh time, the clergyman and Bellingham both fervently praying, the supporters of the internal part of the scaffold were struck away, and Bellingham dropped out of sight down as far as the knees, his body being in full view, and the clergyman was left standing on the outer frame of the scaffold. When Bellingham sunk, the most perfect and awful silence prevailed, not even the slightest attempt at a huzza or noise of any kind whatever was made.

The body was carried in a cart, followed by a crowd of the lower class, to St. Bartholomew's Hospital, and privately dissected.

We did not hear of any accident, except what arose from a scene of confusion by an over-drove ox, forcing his way through the crowd.

The greatest precautions were previously adopted, to prevent accidents among the crowd.—A large bill was placarded at all the avenues to the Old Bailey, and carried

about on a pole, to this effect;—"Beware of entering the crowd!—Remember thirty poor creatures were pressed to death by the crowd when Haggerty and Holloway were executed."

To prevent any disposition to tumult, a military force was stationed near Islington, and to the South of Blackfriars' Bridge; and all the Volunteer Corps of the metropolis received instructions to be under arms the whole of the day.

Lord Gower, of whom Bellingham so bitterly complained, having explained his conduct to the Secretary for foreign affairs, we hold it meet, in justice to that nobleman, to subjoin a copy of his letter on that occasion.

COPY OF A LETTER FROM LORD GRANVILLE LEVESON GOWER TO VISCT. CASTLEREAGH.

My Lord,

Stanhope-street, May 17, 1812.

It appears upon the trial of John Bellingham for the murder of Mr. Perceval, that the prisoner in his defence, endeavoured to justify that atrocious act on the ground of his Majesty's Government having refused to compensate him for the injuries and oppression he states himself to have suffered in Russia, during the time I had the honour of representing his Majesty in that country. He complained particularly of my conduct, and that of Sir Stephen Shairpe, his Majesty's Consul-General, as having sanctioned, by our silence and neglect to interfere in his behalf, the unjust treatment, as he considered it, of the Russian Government.

I was subpœnaed by the prisoner to attend the trial; I did attend, and expected anxiously to be called upon, to state, upon oath, all I could recollect of the circumstances of his case in Russia. In this expectation, however, I was disappointed; my testimony was not called for; and, after having heard the most serious accusation of gross neglect of duty, and want of common humanity, brought forward by the prisoner, against myself and Sir Stephen Shairpe, I

had not the opportunity afforded me of publicly refuting those charges. Although I am perfectly aware that the assertions of a man, standing in the situation of Bellingham, can, unsupported by any other testimony, have no weight whatever with the sober and reflecting part of the public, yet I should be wanting, I think, to the interests and honour of the Government of this country, as well as to my own character and reputation, if I did not endeavour to do away any possible misapprehension upon this subject, by as ample a statement of the circumstances, as my memory, of transactions which passed some years ago, will allow me to furnish.

As you, my Lord, are at the head of that department, under which I was employed, I conceive it to be my duty to address this statement to your Lordship.

In the year 1805, I remember receiving a letter from John Bellingham, complaining of his being detained in prison at Archangel, and claiming my protection, against what he conceived to be the injustice of the constituted authorities of that port; I remember that immediately upon the receipt of this letter, I consulted with Sir Stephen Shairpe, who agreed not only to write a letter to the Governor-General, requiring an explanation of the circumstances of which Bellingham complained, but also to his own mercantile correspondents, British Residents at Archangel, for their opinion of the conduct of the Russian Government towards the complainant.

It appeared from these inquiries, that Bellingham having been engaged in commercial business with the house of Dorbecker and Co. pecuniary claims were made by each party against the other, and that these claims had been by the Governor-General referred for decision to four merchants, two British merchants being appointed on the part of Bellingham, and two other persons on the part of Dorbecker. By the award of those arbitrators, Bellingham was declared to be indebted to the assignees of Dorbecker the sum of two thousand roubles. This sum Bellingham, notwithstanding this decision, refused to pay.

It also appeared from the communications received from

rchangel, that a criminal suit had been instituted against ellingham, by the owners of a Russian ship which had een lost in the White Sea. They accused him of having ritten an anonymous letter that had been received by the nder writers in London, in which letter it was stated, that e insurance of that ship was a fraudulent transaction; and ayment for the loss of her had been in consequence sisted. No satisfactory proof was adduced against ellingham, and he was acquitted of this charge.—But efore the termination of this suit, he attempted to quit rchangel; and, being stopped by the Police, whom he sisted, he was taken to prison; but was soon after liberated, consequence, I believe, of a second application to the overnor from Sir Stephen Shairpe.

About this period I quitted Russia; and I have no collection of hearing any thing more of John Bellingham, till ter my arrival at St. Petersburgh upon my second embassy. e came running into my house one evening, and solicited e to allow him to remain all night, in order to avoid being ken into custody by the Police, from whom he had escaped. complied with this request, though I could not, upon any ound, assume to myself the power of protecting him from gal arrest. It appeared that the award of the Arbitrators Archangel had been confirmed by the Senate, to which dy Bellingham had appealed; and he was in consequence livered over to the custody of the College of Commerce tribunal established for the special purpose of taking gnizance of commercial matters relating to British bjects, and whose authority was recognized in the com- ercial treaty between the two countries,) there to remain l he discharged the debt of the two thousand roubles. his custody was not very strict, for he was allowed to walk herever he pleased, attended by a Police-officer belonging the college. He came frequently to my house, and at rious times received from my private secretary small sums money, to support him during his confinement. Confined he was by the legal authorities of the country, I could no pretence make any application for his release; but I member well, in conversation with the Minister for Foreign

Affairs, expressing my personal wish that the Russian Government, seeing no prospect of recovering the sum of money required from him, would liberate him from prison, on condition of his immediately returning to England.

Very soon after this conversation, all diplomatic intercourse ceased between the two Courts; and the course of public events necessitated my quitting Russia in the abrupt manner which your Lordship is well acquainted.

I am, my Lord, with great respect,

Your Lordship's most obedient humble Servant,

(Signed) GRANVILLE LEVESON GOWER.

The Viscount Castlereagh, &c. &c. &c.

PETER WILLIAM BAKER DUNSTANVILLE STERNE, ESQ.

For Criminal Conversation with the wife of John Gaffney, Esq. who was tried in the Court of Common Pleas, Dublin, on the 9th of June, 1820, before Finucane.

MR. CASTELLO opened the pleadings by stating, that it was an action brought against the defendant for criminal conversation with the plaintiff's wife, and that the damages were laid at £20,000.

Mr. Philips arose and addressed the Court and Jury in the following words:

My Lord and Gentlemen,—In this case I am of counsel for the plaintiff, who has deputed me with the kind concession of my much more efficient colleagues, to detail to you the story of his misfortunes. In the course of a long friendship which has existed between us, originating

mutual pursuits, and cemented by mutual attachment, never till this instant did I feel any thing but pleasure in the claims which it created, or the duty which it imposed. In selecting me, however, from this bright array of learning and of eloquence, I cannot help being pained at the kindness of a partiality, which forgets its interest, in the exercise of its affection, and confides the task of practised wisdom, to the uncertain guidance of youth and inexperience. He has thought, perhaps, that truth needed no set phrase of speech—that misfortunes should not veil the furrows which its tears had buried; or hide under the decorations of an artful drapery, the heart-rent heavings with which its bosom throbbed—he has surely thought, that by contrasting mine, with the powerful talents selected by his antagonist, he was giving a proof that the appeal he made, was to your reason, not your feelings—to the integrity of your hearts, not the exasperation of your passions. Happily, however, for him, happily for you, happily for the country, happily for the profession, on subjects such as this the experience of the oldest amongst us is but slender—deeds such as this, are not indigenous to an Irish soil, or naturalized beneath an Irish climate. We hear of them, indeed, as we do of the earthquakes that convulse, or the pestilence that infests less favoured regions, but the record of the calamity is only read with the generous scepticism of innocence, or an involuntary thanksgiving to the Providence that has preserved us. No matter how we may have gradated in the Scale of Nations, no matter with what wreath we may have been adorned—or what blessings we may have been denied—no matter what may have been our feuds, our follies, or our misfortunes, it has at least been universally conceded, that our hearths were the home of the domestic virtues, and that love, honour, and conjugal fidelity were the dear and indisputable deities of our household—around the fire-sides of the Irish hovel, hospitality circumscribed its sacred circle, and a provision to punish, created a suspicion of the possibility of its violation. But of all the ties that bound—of all the bounties that blessed her, Ireland most obeyed, most loved, most reverenced, the nuptial contract. She saw it

the gift of heaven—the charm of earth—the joy of the present—the promise of the future—the innocence of the enjoyment—the chastity of passion—the sacrament of love—the slender curtain that shades the sanctuary of her marriage-bed, has in its purity the splendor of the mountain snow, and for its protection the texture of the mountain adamant. Gentlemen, that national sanctuary has been invaded, that venerable divinity has been violated, and its tenderest pledges torn from their shrine, by the polluted rapine of a kindless, heartless, prayerless, remorseless adulterer. To you, religion defiled, morals insulted, law despised, public order foully violated, and individual happiness wantonly wounded, make their melancholy appeal.—You will hear the facts with as much patience as indignation will allow; I will myself ask of you to adjudge them with as much mercy as justice will admit.

The plaintiff in this case is John Guthrie, by birth—by education—by profession—by better than all, by practice and by principles, a gentleman. Believe me it is not from the common-place of advocacy, or from the blind partiality of friendship, that I say of him, whether considering the virtues that adorn life, or the blandishments that endear it, he has few superiors. Surely, if a spirit that disdained dishonour—if a heart that knew not guile—if a life above reproach, and a character beyond suspicion, could have been a security against misfortunes, his lot must have been happiness, I speak in the presence of that profession to which he was an ornament, and with whose members his manhood has been familiar, and I say of him, with confidence which defies refutation, that whether we consider him in his private or public station—as a man, or as a lawyer, there never breathed that being less capable of exciting enmity towards himself, or of offering, even by implication, offence to others. If he had a fault it was, that above crime, he was above suspicion, and to that noblest error of a noble nature, he has fallen a victim. Having spent his youth in the cultivation of a mind, which must have one day led him to eminence, he became a member of the profession by which I am surrounded.

ing as he did, a moderate independence, and looking
l to the most flattering prospects, it was natural for
select amongst the other sex, some friend who should
his fortunes, and deceive his toils. He found such a
or thought he found her, in the person of Miss
h, the only daughter of an eminent solicitor. Young,
ul, and accomplished, she was "adorned with all
arth or Heaven could bestow to make her amiable."
never found a fairer temple—beauty never veiled a
sanctuary—the graces of her mind retained the ad-
on which her beauty had attracted! and the eye her
s fired, became subdued and chastened in the modesty
r association. She was in the dawn of life, with all
grance around her, and yet so pure, that, even the
which sought to hide her lustre but disclosed the vestal
hat burned beneath it. No wonder an adoring hus-
nticipated all the joys this world could give him—no
r the parental eye which beamed upon their union,
the perspective an old age of happiness, and a pos-
of honour. Methinks I see them at the sacred altar,
those hands which Heaven commanded none should
te, repaid for many a pang of anxious nurture, by
reet smile of filial piety, and in the holy rapture of
e, blessing the power that blessed their children, and
them hope their names should live hereafter. It was
's vision—none but fiends could envy it. Year after
onfirmed the anticipation—four lovely children blessed
union. Nor was their love the summer passion of
rity—misfortunes proved—affliction chastened it, be-
he mandate of that mysterious power which will at
despoil the paths of innocence, to decorate the chariot
mphant villainy, my client had to bow in silent resig-
. He owed his adversity to the benevolence of his
he went security for friends—those friends deceived
and he was obliged to seek in other lands that safe
n which his own denied him. He was glad to accept
fer of professional business in Scotland during his
rary embarrassment. With a conjugal devotion Mrs.
ie accompanied him, and in her smile, the soil of the

stranger was an home; the sorrows of adversity were dear to him. During their residence in Scotland, a period of about a year, you will find they lived as they had done in Ireland, and as they continued to do until this calamitous occurrence, in a state of uninterrupted happiness. You shall hear most satisfactorily, that their domestic life was unsullied and undisturbed. Happy at home—happy in husband's love—happy in her parent's fondness—happy in the children she had nursed, Mrs. Guthrie carried into every circle—and there was no circle in which her society was not courted—that cheerfulness which never was the companion of guilt, or a stranger to innocence. My client was her the pride of his family, the favourite of his friends, at once the organ and ornament of his happiness. His ambition awoke, his industry redoubled, and that fortune which though for a season it may frown, never totally abandons probity, and virtue, had begun to smile on him. He was beginning to rise in the ranks of his competitors, and rising with such a character, that emulation rather rejoiced than envied. It was at this crisis, in this the morn of his happiness, and day-spring of his fortune, that in the ruin of both, the defendant became acquainted with his family. With the serpent's wile, and the serpent's wickedness, he stole into the Eden of domestic life, poisoning all that was pure, and polluting all that was lovely, defying God, destroying man, a demon in the disguise of virtue, a herald of hell in the paradise of innocence. His name, gentlemen, is William Peter Baker Dunstanville Sterne: one would think he had epithets enough without adding to them the title of adulterer. Of his character I know but little, and I am sorry I know so much; if I am instructed rightly, he is one of those vain and vapid coxcombs, whose vices tinge the frivolity of their follies with something of a more odious character than ridicule. With just head enough to contrive crime, but not heart enough to feel for its consequences: one of those fashionable insects that folly has painted, and fortune plumed, for the annoyance of our atmosphere; dangerous alike, in their torpidity, and their animation; infesting where they fly, and poisoning where

ose. It was through the introduction of Mr. Fallon, of a most respectable lady, then resident in Temple- and a near relative of Mr. Guthrie, that the defendant r unfortunate woman first became acquainted; to introduction the shadow of suspicion could not attach.—Occupying himself in his professional , my client had little leisure for the amusement of however, to the protection of Mrs. Fallon, her son ghters, moving in the first circles, unstained by any imputation, he without hesitation entrusted all that t to him. Suspicion was not awake as to any man such a female as Mrs. Fallon permitted an intimacy r daughters, while at her house then, and at the which it originated, the defendant and Mrs. Guthrie dent opportunities of meeting.—Who could have d that under the very roof of virtue, in the pre- a venerable, and respected matron, and of that family whom she had reared up in the sunshine of uple, the most abandoned profligate could have his iniquities! Who not rather suppose that in the of such a presence, guilt would have torn away the from its brow, and blushed itself into virtue! But aviety of this man was of no common dye; the of innocence was selected only as the sanctuary rimes, and the pure and spotless chosen as his s, because they would be the more unsuspected ds to his wickedness; nor was his manner and his less suited than his society to the concealment of e. If you believed himself, the sight of suffering his nerves, and the bare mention of immorality on his conscience; an intercourse with continental d refined his mind into a painful sensibility to the es of Ireland, and yet an internal tenderness to- native land, so irresistibly impelled him to improve residence, that he was an hapless victim to the his feelings, the exquisiteness of his polish, and lence of his patriotism. His English estates, he ounted to about £10,000 a year, and he retained in nly a trifling £3,000 more, as a kind of trust for

the necessities of its inhabitants; in short, according to his own description, he was in religion a Saint, and in morals a Stoic; a sort of wandering Philanthropist, making, like the Sterne, who he confessed had the honour of his name and his connection, a sentimental journey in search of objects, over whom his heart might weep, and his sensibility expand itself. How happy it is, that of the philosophic prodigate only retaining the vices and the name, his rashness has led to the arrest of crimes, which he had all his turpitude to commit, without any of his talents to embellish: It was by arts such as I have alluded to, by pretending the most strict morality, the most sensitive honour, the most high and undeviating principles of virtue, that the defendant banished every suspicion of his designs. As far as appearances went, he was exactly what he described himself. His pretensions to morals he supported by the most reserved and respectful behaviour, his hand was lavish in the distribution of his charities, and a splendid equipage, a numerous retinue, a system of the most profuse and prodigal expenditure, left no doubt as to the reality of his fortune. Thus circumstanced, he found an easy admittance to the house of Mrs. Fallon, and there he had many opportunities of seeing Mrs. Guthrie, for, between his family and that of so respectable a relative as Mrs. Fallon, my client had much anxiety to increase the connexion. They visited together some of the public amusements, they partook of some of the fetes in the neighbourhood of the metropolis; but, upon every occasion, Mrs. Guthrie was accompanied by her own mother, and by the respectable females of Mrs. Fallon's family. I say, upon every occasion, and I challenge them to produce one single instance of those innocent excursions, upon which the slanders of an interested calumny have been let loose, in which this unfortunate lady was not matronized by her female relatives, and those, some of the most spotless characters in society. Between Mr. Guthrie and the defendant the acquaintance was but slight. Upon one occasion alone they dined together; it was at the house of the plaintiff's father-in-law; and that you may have some illustration of the defendant's character, I shall briefly

instance his conduct at this dinner. On being introduced to Mr. Warren, he apologized for any deficiency of etiquette in his visits, declared that he had been seriously occupied in arranging the affairs of his lamented father, who, though tenant for life, had contracted debts to an enormous amount; he had already paid upwards of £10,000, which honour and not law had compelled him to discharge, as, sweet soul, he could not bear that any one should suffer unjustly by his family. His subsequent conduct was quite consistent with this hypocritical preamble; at dinner he sat at a distance from Mrs. Guthrie; expatiated to her husband upon matters of morality, and entered into a high-flown panegyric on the virtues of a domestic life, and the comforts of connubial happiness. In short, had there been any idea of jealousy, his manner would have banished it, and the mind must have been worse than sceptical, which would refuse its credence to his *surface* morality.—Gracious God! gentlemen, where the heart once admits guilt as its associate, how every natural emotion flies before it. Surely, surely, here was a scene to reclaim, if it were possible, this remorseless defendant; admitted to her father's table, under the shield of hospitality, he saw a young and lovely female surrounded by her parents, her husband, and her children—the prop of those parents' age—the idol of that husband's love—the anchor of those children's helplessness—the sacred orb of their domestic circle—giving their smile its light, and their bliss its being—robbed of its beams, the little lucid world of their home must become chill, uncheered, and colourless for ever. He saw them happy, he saw them united, blessed with peace, with purity, and profusion—throbbing with sympathy, and throned in love—depicting the innocence of infancy and the joys of manhood, before the venerable eye of age, as if to soften the farewel of one world, by the pure and pictured anticipation of a better, Yet, even there, hid in the very sunbeam of that happiness, the dæmon of its destined desolation lurked. Just Heaven! of what materials was that heart composed which could meditate coolly on the murder of such enjoyments—which innocence could not soften, nor peace propitiate, nor hospitality appease,

but which, in the very beam and bosom of its benefaction, warmed and wound itself into a more vigorous venom? Was there no sympathy in the scene? was there no remorse at the crime?—was there no horror at its consequences?

> " Were honour, virtue, conscience, all exil'd?
> " Was there no pity, no relenting ruth,
> " To shew the parent's fondling o'er their child,
> " Then paint the ruin'd pair, and their distraction wild?"

No, no; he was at that instant planning their destruction, and even within four short days, he deliberately reduced those parents to childlessness, that husband to widowhood, those smiling infants to anticipated orphanage, and that peaceful, hospitable, confiding family, to helpless, hopeless, irremidable ruin. Upon the first day of the ensuing July, Mr Guthrie was to dine with the Connaught Bar, at the Hotel of Portobello. It is the custom of the Gentlemen of that association to dine together previous to the Circuit; of course my Client could not decorously have absented himself. Mrs. Guthrie appeared a little feverish, and he requested that, on his retiring, she would compose herself to rest—she promised him she would; and when he departed somewhat abruptly to put some leters in the post-office, she exclaimed, "What, John, are you going to leave me thus?" He returned, and she kissed him. They seldom parted even for any time, without that token of affection. I am thus minute, Gentlemen, that you may see, up to the last moment, what little cause the husband had for suspicion, and how impossible it was for him to foresee a perfidy which nothing short of infatuation could have produced. He proceeded to his companions with no other regret, than that necessity for a moment forced him from a home, which the smile of affection had never ceased to endear to him. After a day, however, passed as such a day might have been supposed to pass, in the flow of soul, and the philosophy of pleasure, he returned home, to share his happiness with her without whom no happiness ever had been perfect. Alas! he was never to behold her more. Imagine, if you can, the frenzy of his astonishment, in being informed by

Mrs. Potter, the daughter of his former landlady, that, about two hours before, she had attended Mrs. Guthrie to a confectioner's shop, that a carriage had drawn up at the corner of the street, into which a Gentleman, whom she recognized to be Mr. Sterne, had handed her, and they instantly departed. I must tell you there is every reason to believe, that a female was the confident of the conspiracy. What a pity that the object of that guilty confidence had not something of humanity, that, as a female, she did not feel for the character of her sex—that as a mother, she did not mourn over the sorrows of a helpless family! What pangs might she not have spared! My Client could hear no more; even at the dead of night, he rushed into the street, as if in its own dark hour, he could discover guilt's recesses; in vain did he awake the peaceful family of the horror-struck Mrs. Fallon; in vain with the parents of the miserable fugitive, did he mingle the tears of an impotent distraction; in vain a miserable maniac, did he traverse the silent streets of the metropolis, affrighting virtue from its slumber, with the spectre of its own ruin. I will not dwell upon that night of horror; I will not harrow you with its heart-rending recital. But, imagine you see him, when the day had dawned, returning wretched to his deserted dwelling—seeing in every chamber a memorial of his loss, and hearing every tongueless object eloquent of his woe. Imagine you see him, in the reverie of his grief, trying to persuade himself it was all a vision, and awakened only to the horrid truth, by his helpless children asking him for their mother! Gentlemen, this is not a picture of the fancy; it literally occurred; there is something less of romance in the reflection which his children awakened in the mind of their afflicted father; he ordered that they should be immediately habited in mourning. How rational sometimes are the ravings of insanity! For all the purposes of maternal life, poor innocents! they have no mother; her tongue no more can teach, her hand no more can tend them; for them there is not "speculation in her eyes;" to them her life is something worse than death; as if the awful grave had yawned her forth, she moves before them, shrouded all in

sin, the guilty burden of its peaceless sepulchre. Better, far better, their little feet had followed in her funeral, than that the hour which taught her value should reveal her vice; mourning her loss, they might have blessed her memory, and shame need not have rolled its fires into the fountain of their sorrow.—As soon as his reason became sufficiently collected, Mr. Guthrie pursued the progress of the fugitives; he traced them successively to Kildare, to Carlow, Waterford, Milford-haven, on through Wales, and finally, to Ilfracombe, in Devonshire, where the clue was lost. I am glad that, in this route and restlessness of their guilt, as the crime they perpetrated was foreign to the soil, they did not make that soil the scene of its habitation. I will not follow them through their joyless journey, nor brand by my record the unconscious scenes of its pollution. But philosophy never taught—the pulpit never enforced a more imperative morality than the itinerary of that accursed tour promulgates. Oh! if there be a maid or matron in this island, balancing between the alternative of virtue and of crime, trembling between the hell of the seducer and the adulterer, and the heaven of parental and the nuptial home, let her pause upon this one, out of the many horrors I could depict, and be converted. I will give you the relation in the very words of my brief—I cannot improve upon the simplicity of the recital.

"On the 7th of July, they arrived at Milford; the Captain of the Packet dined with them, and was astonished at the magnificence of her dress," (poor wretch, she was decked and adorned for the sacrifice.) The next day they dined alone. Towards evening, the house-maid, passing near their chamber, heard Mr. Sterne scolding, and apparently, beating her. In a short time after, Mrs. Guthrie, rushed out of her chamber into the drawing room; and, throwing herself in agony upon the Sofa, she exclaimed—"Oh! what an unhappy wretch I am—I left my home, where I was happy, too happy! seduced by a man who has deceived me. My poor husband—my dear children—Oh! if they would let my little William live with me, it would be some consolation to my broken heart.

" Alas! nor children more can she behold,
" Nor friends, nor sacred home!"

Well might she lament over her fallen fortunes; well might she mourn over the memory of the days, when the sun of Heaven seemed to rise but for her happiness; well might she recall the home she had endeared—the children she had nursed—the hapless husband, of whose life she was the pulse. But one short week before, this earth could not reveal a lovelier vision—virtue blessed—affection followed—beauty beamed—on her—the light of every eye—the charm of every heart, she moved along in cloudless chastity, cheered by the song of love, and circled by the splendors she created! Behold her now, the loathsome refuse of an adulterous bed, festering in the very infection of her crimes; the scoff and scorn of their unmanly, merciless, inhuman author! But thus it ever is with the votaries of guilt—the birth of their crime is the death of their enjoyment, and the wretch who flings his offering on its altar, falls an immediate victim to the flame of his devotion. I am glad it is so—it is a wise, retributive dispensation—it bears the stamp of a preventive Providence—I rejoice it is so in the present instance; first, because this premature infliction must ensure repentance in the wretched sufferer; and next, because, as this adulterous fiend has rather acted on the suggestions of his nature than his shape, by rebelling against the finest impulse of man, he has made himself an outlaw from the sympathies of humanity. Why should he expect that charity from you which he would not spare, even to the misfortunes he had inflicted! for the honour of the form in which he is disguised, I am willing to hope he was so blinded by his vice, that he did not see the full extent of those misfortunes. If he had feelings capable of being touched, it is not to the faded victim of her own weakness and of his wickedness that I would direct them. There is nothing in her crime which affrights charity from its commiseration. But Gentlemen, there is one over whom pity may mourn, for he is wretched—and mourn without a blush, for he is guiltless. How shall I depict to you the deserted husband!

To every other object in this catalogue of [illegible] some name attached, which checks compassion. But here. Oh! if ever there was a man amiable, it was this husband. Oh! if ever there was a husband fond, it was this husband: his hope, his joy, his ambition, was domestic; all his cares forgotten in the affections of his home, and children. Adverse variety of fortune. Hope pointed to his children, and he was comforted. By this vile act, that house is a desert, those children are parentless, all in vain do they look to their surviving parent; his heart is broken, his mind is in ruins, his very form is fading from the earth. He had one consolation, an aged Mother, on whose life the remnant of his fortunes hung, to whom protection of his children, his remaining prospects rested; even that is over; she could not survive, she never raised her head, she became bereaved in his misfortune, he has followed her funeral. If this be not the climax of human misery, tell me in what does human misery consist? Wife, parent, fortune, prospects, happiness, all gone at once, and gone for ever. For my part, when I contemplate this, I do not wonder at the impression it has produced upon him; I do not wonder at the faded form, the dejected air, the emaciated countenance, and all the ruins and mouldering trophies by which misery has marked its triumph over youth, and health, and happiness! I trust that in the hordes of what is called fashionable life, there is a sect of philosophers, wonderfully patient of their fellow creatures sufferings, men too insensible to feel for others, or too selfish to feel for others—I trust there is not one amongst you a professor of those principles. I trust there is not one amongst you, who can even hear of such calamities without affliction; or, if there be, I pray that he may never know their import by experience, after having in the wilderness of this world, but one dear and darling object, without whose participation, bliss would be joyless, and in whose sympathies, sorrow has found a charm; whose smile has cheered his toil; whose love has pillowed his misfortunes; whose angel spirit, guiding him through danger, and darkness, and despair, amid the world's frown, and

perfidy, was more than friend, and world, and all to him! God forbid, that by a villain's wiles, or a villain's wickedness, the solace of that artery torn from his heart-strings, he should be taught how to appreciate the woe of others, in the dismal solitude of his own. Oh! no! I feel, I address myself to human beings, who, knowing the value of what the world is worth, are capable of appreciating all that is dear to us.—Observe, however, that this crime should want any aggravation; observe, I beseech you, the period of its accomplishment. My client was not so young as that the elasticity of his spirit could rebound, and bear him above the pressure of misfortune, nor was he withered by age into a comparative insensibility, but just at that temperate interval of manhood, when passion has ceased to play, and reason begins to operate; when love gratified, left him nothing to desire; and fidelity long tried, left him nothing to apprehend; he was just, too, at that period of his professional career, when his patient industry, having conquered the outset, he was able to look round him from the height on which he rested.—For this, welcome had been the day of triumph, and the pale midnight lamp succeeding; welcome had been the drudgery of form; welcome the analysis of crime—welcome the sneer of envy and the storm of dulness, and all the spurns which "patient merit of the unworthy takes." For this he had encountered, perhaps, the generous frenzy of genius, perhaps the biting blasts of poverty, perhaps the efforts of that deadly slander, which, coiling round the cradle of his young ambition, might have sought to crush him in its envenomed foldings.

"Ah, who can tell how hard it is to climb
"The steep where fame's proud temple shines afar?
"Ah, who can tell how many a soul sublime
"Hath felt the influence of malignant stars,
"And waged with fortune an eternal war."

Can such injury as this admit of justification? I think the learned Counsel will concede it cannot. But it may be palliated—let us see how. Perhaps the defendant was young and thoughtless; perhaps unmerited prosperity raised him above the pressure of misfortune, and the wild

pair of impetuous passion impelled him to a purpose, at which his experience would have shuddered. Quick and contrary as the moon of manhood has almost passed over him, and a youth spent in the recesses of a Christian Priory made him familiar with every form of human misery, he knew what misfortune was—it did not teach him what guilt was—the effects of guilt he scorned, the admonitions. Perhaps in the solitude of a single life he had never known the mutual blessedness of marriage. He has a misfortune children—or, if she be not his wife, she is the victim of his crime, and adds another to the calendar of his seductions. Certain it is, he has little children, who think themselves legitimate; still his advocates defend him by proclaiming their bastardy. Certain it is, there is a wretched female his own cousin too, who thinks herself his wife; will they protect him by proclaiming he has only deceived her into his prostitute? Perhaps his crime, as in the celebrated case of Heward, immortalized by Lord Erskine, may have found its origin in parental cruelty. It might, perhaps, have been, that in their early years this guilty pair had cherished an innocent attachment—it might have been that in their spring of life, when fancy waved her fairy wand around them, till all above was sunshine, and all beneath was flowers; when, to their vision, this ample world was but a wondrous garden, where every tint spoke Nature's loveliness, and every sound breathed Heaven's melody, and every breeze was but embodied fragrance. It might have been that, in this cloudless holiday, Love wove the vermeil bondage around them, till their young hearts so grew together, that a separate existence ceased, and life itself became a sweet identity; it might have been that, envious of this Paradise, some worse than Demon, tore them from each other, to pine for years in absence, and at length to perish in a palliated impiety. O! Gentlemen, in such a case, Justice herself, with her uplifted sword, would call on Mercy to preserve the victim. Here was no such palliation; the period of their acquaintance was little more than sufficient for the maturity of their crime, and they dare not plead

stamp

[redacted] by shielding under its soft and sacred name, the loathsome revels of an adulterous depravity. It might have been the husband's cruelty left a too easy inroad for seduction.—Will they dare assert it? Alas! too well they know it would not let "the winds of heaven visit her face too roughly."—Monstrous as it is, I have heard, indeed, that hope must rest upon an opposite palliation; I have heard insinuated, that they mean to rest the wife's fidelity upon the husband's fondness. I know that guilt, in its conception, cunning, and in its commission tremulous, is still in its exposure, captious and audacious. I know that in the fugitive pace of its retreat, it will stop to fling its Parthian poison upon the justice that pursues it. But I hope, hard and petrified, and hopeless as their cause is, I do hope, for the sake of human nature, that I have been deceived in the nature of this unnatural defence. Merciful God! is it in the presence of this venerable Court! is it in the hearing of a virtuous Jury! is it in the zenith of an enlightened age, as I am to be told, because female tenderness was not stalked with worse than Spanish vigilance, and harrassed with worse than Eastern severity; because the marriage contract is not converted into the curse of imprecation; because woman is allowed the dignity of a human soul, and man does not degrade himself into a human monster; because the vow of endearment is not made the vehicle of deception, and the altar's pledge is not become the pass-port of a barbarous perjury, and that too in a land of honour and chivalry, where the female form has been held a patent direct from the divinity, bearing in its chaste and unprotected helplessness the assurance of its strength, and the amulet of its protection. Am I to be told, that the human adulterer is, therefore, not only to perpetrate his injury, but to vindicate himself through the very virtues he violated? I cannot believe it: I dismiss the supposition as that of "monstrous, foul, and unnatural." Suppose that the plaintiff pursued a different principle; suppose that his mind had been the reverse of what it was; suppose that, instead of being kind, he had been cruel to this deluded wife; that he had been her tyrant, not her protector;

her gaoler, not her husband; what then might the husband have the defence of this adulteress? Might he not then say with openness: "I ran the adulterer through the body, but it was to save her from cruelty, rude abuse and blackening, because he was her despot." Happily, Gentlemen, the case may no such thing. I have heard it said too, during the months of calumny, through which by every species of legal delay they have prolonged this trial, that next to the impeachment of the husband's tenderness, they mean to rely on what they libel as the laxity of their unhappy victim. I know not by what right any man, but then all a married man presumes to scrutinize into the conduct of a married female. I know not, Gentlemen, how you would feel under the consciousness that every scoundrel had a liberty to estimate the warmth or the coolness of your wife by the barometer of his vanity, that he might ascertain precisely the prudence of his invasion on their virtue. But I do know that such a defence, coming from such a quarter, would not at all surprise me. Poor unfortunate fallen female; how can she expect mercy from her destroyer; how can she expect that he will preserve the character he has a chance of preserving; how can she suppose that after having made her peace the pander to his appetite, he will not make her reputation the victim of his passion? Such a defence is quite to be expected, knowing him it will not surprise me; if I know you it will not you either. Having now shewn you his crime almost unprecedented in this country, clothed in every aggravation and robbed of every palliative; it is natural you should inquire what was the motive for its commission. What do you think it was; providentially, miraculously, I should have said, for you never could have divined it, the Defendant has himself disclosed it; what do you think it was, Gentlemen, ambition. But a few days before his criminality in reference to a Friend, who rebuked him for the almost princely expenditure of his habits; "Oh (says he) never mind, Sterne must do something by which Sterne may be known." I had heard, indeed, that ambition was a vice, but then a vice so equivocal it merged on virtue. Then it

[redacted]

a depravity of a pitch sometimes perhaps appalling, magnificent—that though its grasp might be fatal, its flight might be faultless, still it reposed on eagle's wing, and played in heaven's lightnings—that though its fall in ruins, it arose in fire, and was withal so sublime, that even the horrors of that hell emerged, and were mingled in the beauties of that aberration? But such an ambition base, and barbarous, and illegitimate—all the grandeur of the vice, with none of the grandeur virtue—a mean, muffled, disdainful, incendiary, who silence of sleep, and in the shade of midnight, steals sacrilegious torch into the fane which it was virtue to guard—worse than sacrilege to violate!! [*A burst of applause from the whole Bar and audience, followed the delivery of passage.*] Gentlemen, my part is done—yours is to commence. You have heard the crime, its origin, progress, its aggravations, its novelty amongst us. It is for your children and your country, whether or no it is to be a precedent. Oh, how awful is your responsibility! I do not doubt that you will discharge yourselves as becomes your characters. I am sure, indeed, that all means with me over the almost solitary defect in our otherwise matchless system of jurisprudence, which is the perpetrator of such an injury as this, subject to retaliation—but that of money? I think you will lament failure of the great Cicero of our age to bring such an within the cognizance of a criminal jurisdiction, it judges turned to his legislative mind, worthy of his worthy of his immortal eloquence. I cannot, but, ever tenderly allude to Lord Erskine, without myself by saying of him, that by the rare union that was lustred in law, with all that was lucid in by the singular conformation of all that was pure with all that was profound in wisdom, he has upon every action of his life the blended authority and an unquestionable conviction. I think, you will regret the failure of such a man in object. The merciless murderer may have man- to plead; the highway robber may have want to

palliate; yet they are both objects of criminal indictment; but the murderer of connubial bliss, who commits the crime in secrecy; but the robber of domestic joys, whom very wealth, as in this case may be his instrument, is suffered to calculate on the infernal fame which a sumptuous expenditure may purchase. The law, however, is so, and we must adopt the only remedy it affords us. In your adjudication of that remedy, I do not ask too much when I ask for the full extent of your capability; how poor, even so, is the wretched remuneration for an injury which nothing can repair, which nothing can alleviate; do you think a mine could recompence my client for the forfeiture of her who was dearer than life to him.

> Oh! had she been but true,
> Though heaven had made him such another world
> Of one entire and perfect chrysolite,
> He'd not exchange her for it.

I put it to any of you. What would you take to stand in his situation? What would you take to have your prospects blasted—your profession despoiled—your peace ruined—your bed profaned—your parents' heart broken—your children parentless. Believe me, gentlemen, if it was not for those children, he would not come here to day to ask such remuneration; if it was not that, by your verdict, you may prevent those little innocent, defrauded wretches, from wandering beggars, as well as orphans, on the face of this earth. Oh, I know I need not ask this verdict from your mercy; I need not extort it from your compassion, I will receive it from your justice. I do conjure you, not as fathers, but as husbands; not as husbands, but as citizens; not as citizens, but as men; not as men, but as Christians—by all, all your obligations, public, private, moral, and religious—by the hearth profaned—by the home desolated—by the canons of the living God foully spurned; save, O save your fire-sides from the contagion, your country from the crime, and perhaps thousands yet unborn from the shame, and sin, and sorrow of this example.

At the conclusion of a brilliant and unexcelled display of eloquence, a burst of joyous and approving exultation

rose in the Court, well merited by the able advocate, who had affected the jury even to tears, throughout the delivery of this powerful appeal to their judgment, their feelings, and their justice.

Lord Norbury charged the jury to find a verdict for the plaintiff, but recommended moderation in the damages.

The jury retired for a few minutes, and found for the plaintiff—Damages £5,000.

BENJAMIN RENSHAW.

Executed at Nottingham, the 29th of August, 1819, for setting Fire to a Hay Stack.

THIS man was convicted on the clearest evidence of the wicked wasteful crime of burning the hay of Mr. Charles Stanton; and, in aggravation of such business soon afterwards, of wantonly slaughtering a ram, the property of Mr. Isaac Dodsley, both of the town of Mansfield, in the county of Nottingham. He was sentenced to death, and left by the judge for execution.

About eleven o'clock he was taken from the prison, and was placed in a cart, accompanied by the executioner, and a respectable gentleman who had daily visited him during his condemnation. The concourse of spectators was unusually great, to witness the awful catastrophe. When arrived at the fatal tree, and some time had been spent in singing and prayer, Renshaw himself prayed with an audible voice, and afterwards addressed the multitude for the space of fifteen or twenty minutes, exhorting them, and especially youth, to avoid evil company, and this he did in a manner which excited the astonishment of every beholder: such fortitude, unshaken confidence, and composure, were scarcely ever before witnessed, expressing at the same time, as he had done before, his assurance of the mercy of God.—After he was turned off, the noose of the rope moved under

[redacted]

his ship, and it was intended purposely to put him to the test, that the rope might be adjusted afresh, after which he was turned off again. This circumstance occasioned a considerable sensation among the spectators, although they expressed their abhorrence at the sanguinary character of the unfortunate culprit; they attributed the accident entirely to the unskilfulness of the executioner, who, [illegible] such scenes.*

WILLIAM HULSE,

[Late Clerk of his Majesty's Schooner of War, called The Pickle.]

Convicted before a Court Martial, on Monday, the 14th of September, 1812, mulcted of his pay, and imprisoned twelve months, for embezzling the Stores of the said Vessel.

"THE abuses, frauds, and embezzlements, in the dock-yards, and on board our men of war [illegible] are perpetrated through the medium of [illegible] agencies, which naturally divide themselves into two distinct branches.

"The first relates to frauds committed by the connivance and assistance of clerks, store-keepers, and inferior officers in the dock-yards and other repositories, and in ships of war and transports; in receiving and delivering [illegible] victualling, and ordnance stores; in surveys of [illegible] unserviceable stores; in what is called, salving the [illegible] in fraudulent certificates; in the sale of old stores, and innumerable other devices; by which a number of individuals are enriched at the public expense, and a system of plunder is supported by fraudulent documents, and vouchers of articles, which have no existence but upon paper.

"The second branch relates to the actual pillage of new and old cordage, bolts of canvas, sailor's clothing, cutlery of all sorts, fearnought and baize, leather and hides, and the

[redacted] copper, locks, hinges, and bolts, copper bolts and nails in [redacted] quantities, bar iron, old iron, lead and solder, thick plank, oars, timber of small sizes, blocks, quarter-deck [redacted] gunpowder, tallow, oil, paint, pitch, tar, turpentine, rosin, hemp and water casks, iron hoops, biscuit, pease, beef, bread, wine, brandy, rum, oil, vinegar, butter, cheese, beef, pork, &c. &c. All these articles suffer a vast annual diminution, by means of that plunder which has become habitual to a number of the inferior servants of the crown, who have, in their respective situations, access to such stores.*

This species of plunder is much encouraged by the difficulty of detection. Vast quantities are constantly provided, and the storehouses are generally full; it happens, therefore, as a matter of course, that the articles which were recently deposited are issued first; and hence many valuable stores, it is said, have remained untouched and unseen for [redacted] years, until a number of articles perish, or become unservicable, from length of time." *Colquhoun.*

On Monday, the 14th of September, 1818, a Court Martial was held on board the Gladiator, in Portsmouth harbour, for the trial of Mr. Wm. Hulse, late clerk of his Majesty's schooner Pickle, for [redacted] in embezzling and causing to be sold, from time to time, between the months of January 1810 and March 1811, divers slops, part of the slop-stores of the said vessel, and 2d, for making and procuring to be made, in the slop-books of the said schooner, divers false entries of the issues of slops on board the said schooner, thereby charging to part of the crew various articles of slops which, in fact, had never been supplied to them. He was adjudged to be [redacted] or to forfeit all the pay or wages due to him for his services done in the Royal Navy; [redacted]

* It is by no means to be inferred from what is here stated, that there are not, both among the furnishers and contractors for public stores, as well as [redacted] in the departments [redacted] to, many individuals of great honour and integrity. It is to be hoped that [redacted] the smallest in point of number, or they will soon be so.

to be rendered unworthy of serving his Majesty, his heirs, or successors, in any place of confidence or trust; and to be imprisoned in the Marshalsea prison for the space of twelve calendar months: and the Court farther agreed, that great irregularities appeared in the issuing and entry of slops in the slop-books of the schooner Pickle, between the months of January, 1810, and March, 1811.

JAMES WESTBROOK, AND ELIZABETH PHIPPS,

Convicted at the September Sessions, 1812, and sentenced to death, for Burglary.

THESE two persons, along with Susannah Phipps, and Samuel Westbrook, were indicted for breaking and entering the dwelling house of John Covington, and stealing therein eighteen gowns, a quantity of petticoats, a piece of muslin, a time-piece, some silver table spoons, and a variety of other property, to the value of one hundred and twenty pounds in the whole.

It appeared that the prosecutor, who was a licensed hawker, left town along with his wife, in the way of his business, on the 1st of April last, having previously secured his room-door by means of an ordinary lock and two padlocks. The only lodgers in the house were a person of the name of Corcoran, who lived in the first part, and the prisoner, Susannah Phipps, who, though unknown to the prosecutor, suffered the other female prisoner, Elizabeth Phipps, her daughter, and James Westbrook, to reside along with her. On the morning of the day on which the prosecutor left town, Corcoran heard a noise made by Elizabeth Phipps, below stairs, occasioned by the scouring of a tub, while, at the same moment, he heard a different sort of noise up stairs, as if it were of breaking open something in the prosecutor's room. He afterwards saw the

prisoner, James Westbrook, carry out a bundle, and Elizabeth Phipps carry out a time-piece in her lap. These two prisoners afterwards took out more bundles, and continued doing so from about seven or eight o'clock in the morning, till about one. The mother, Susannah Phipps, was not present during the time, not having slept at home the preceding night. About eleven o'clock, Corcoran saw Susannah Phipps, the mother, and the other prisoner, Samuel Westbrook, the brother of James, standing together, at the corner of Play-house-yard, when Elizabeth Phipps came up with a bundle, which she handed to Samuel Westbrook, who went away with it. This was all the part he saw either Samuel Westbrook or Susannah Phipps take in the business, Susannah Phipps not having come home till night. Corcoran heard the daughter say, if her mother made any noise about it, she would do for her and for others. Some of the articles were afterwards traced to a pawnbroker's, with whom they had been pledged in the name of Elizabeth Smith, and the duplicates were found in the possession of the prisoners, James Westbrook and Elizabeth Phipps, who were apprehended in lodgings, where they lived under the assumed name of Smith.

Sir Vicary Gibbs, who tried the case, recommended to the jury to throw out of their consideration the case of Susannah Phipps, against whom no direct proof had been brought; of the guilt of Elizabeth Phipps and James Westbrook there seemed to be no doubt; and the only remaining point for their consideration was, what part Samuel Westbrook had taken in the transaction? Whether, from the circumstance of his waiting in the immediate neighbourhood to receive the bundle, they saw sufficient to convince them that he was also cognizant of the breaking and entering; in which case he must be held to have been aiding and encouraging, and as such, to be as guilty as the rest.

The jury, after some deliberation, found James Westbrook, and Elizabeth Phipps—Guilty Death, and Samuel Westbrook—Not Guilty.

THOMAS FARNSWORTH, the younger,

Convicted at the Middlesex Sessions, of an Assault and Libel upon his Father, the 18th of September, 1812, for which he was sentenced to Imprisonment for twelve calendar months, and after that time to find security for his good behaviour for two years.

THE indictment preferred against this violent and unnatural young man contained several counts, but so incorrectly copied that the objections taken to two of them by his counsel were held to be good by the Court. These were for libels, wherein, considering they came from a child to a parent, there is something peculiarly shocking. This libellous matter was thus read in Court, and the said Thomas Farnsworth was charged with writing the same to his father.

"MURDERER!

"You forgot the time you committed the act, for you say that I was not at home, and you have procured a man to corroborate with you in your story."

On examining the record, it was discovered that *corrobo* had been inserted for *corroborate*, in the two first counts, and as there is no such word in the English language, the indictment could not be sustained on those counts.

The third count recited a letter beginning as follows:—

"MURDERER,

"When do you mean to desist from carrying on your cursed plan against the offspring of a murdered woman? You may carry it on till you wish you had come to a conclusion long ago. You are enough to raise the mind of an injured man to do that he would not wish to do. I am determined to attend you at Wormley, if you do not

settle at home, for I have searched the books every day, and find you will not indict. Curse and damn the day that you ever saw my mother."

The prisoner's Counsel observed, that in the record the word *say* was introduced instead of *saw*. The prisoner was acquitted.

He was then tried for an assault on his father, on the 4th of May, 1812.

It appeared from the evidence of the prosecutor, that he was standing at the door of a house in Well-street, Whitechapel, when his son rushed on him suddenly, and attacked him with great violence.—Mr. Farnsworth retreated into a stable-yard, whither he was pursued by his son, who knocked him down with a broomstick; and, while down, beat him most unmercifully, exclaiming, "I will murder you—blood for blood!" His cries brought several persons to his assistance, who rescued him from his perilous situation. His son had hunted him for several hours through the neighbourhood, like a mad dog, and called for a pistol that he might shoot him.

The prisoner denied having committed any assault. He only wanted his property. His father owed him one hundred and ten pounds; and yet, by a false account, (which he handed up to the bench,) he brought him in a debtor to the amount of 93. 6d.

John Harding deposed, that he ran to the spot, in consequence of the cry of "Murder!" He saw the prosecutor on the ground, and his son beating him with a broomstick. He immediately seized his arms, and said, "You villain, are you going to kill your father?" The prisoner answered—"I will murder him! blood for blood!"

The prisoner being called on for his defence, said—"I never struck my father—I came to him with that account in my hand, and said, 'How can you treat me in this manner—Why should you rob me of my property, as you robbed my poor brother, the night before he was killed in Mile-end?'—I am the surviving son of a murdered mother—Gentlemen, these eyes saw the hands of my father perpetrate the horrid

deed, and not content with that, he wishes to exercise his barbarity on my offspring—(pointing to a child which stood before him.)—I am thirty-four years of age, and never lifted my hand against my father—I would sooner spill my heart's blood than do so—O God! no person can conceive what I have suffered—I have been cruelly dragged to town by officers. So far from striking my father, when I found I could not get my property, I offered him my pen-knife that he might take my life as he had taken my mother's." —(The manner of delivering this rhapsody savoured strongly of a distracted mind.)

One witness appeared on the part of the prisoner; but he knew nothing of the assault. The prisoner then complained that his most material witness was kept back. To that witness his father had shewed the letter he had written (which was exhibited in the former trial), and said, that he would take the stain out of his own back, by sacrificing his son.

The jury returned a verdict of Guilty.

The Court adjudged him to suffer imprisonment for one year, and at the expiration of that time, to find sureties for his good behaviour for two years, himself in 100*l.* and two sureties in 50*l.* each.

CHARLES FOX,

(The Flying Dustman.)

Convicted at the Middlesex Sessions, September, 1812, for an assault, and sentenced to three months' imprisonment.

THIS prosecution, though for a trifling assault, brought forward some facts which our country readers would, through any other channel of information, almost treat as incredible.

It was, in fact, commenced at the instance of Mr. Lacock, whom the defendant injured in his contract with the parish of St. Mary Islington. Mr. Lacock, is a cow-keeper to a large extent, generally milking several hundred. He is also scavenger to the said parish, paying, for the liberty of taking away the dust (coal ashes) from the houses of the inhabitants, the enormous sum of seven hundred and fifty pounds a year!

The parish obtained an Act of Parliament for the regulation, among other things, of the duty of scavengers, and which provides that any person offending therein, may be taken into custody to answer charges made against them.

On the 24th of June last, the day laid in the indictment, the prosecutor, who is a carter, in the employ of Mr. Lacock, saw the defendant come out of a house, in King-street, Islington, with a basket of ashes on his head, which he emptied into a cart that was standing at the door, and was proceeding to drive away, when the prosecutor went up and stopped him. He swore, however, that all the men in Islington should not stop him; and, on the prosecutor attempting to detain him till a constable could be sent for, he struck him several times, and at length broke from him. He was afterwards taken by a constable.

The defendant, was what is termed a *Flying Dustman*, who had no contract; and, paying nothing to any one, goes round the parish collecting all the ashes he can, to the great injury of the contractor.

It farther appeared, that this was the fifth time of his thus offending. The jury found him guilty of the assault; and the Court immediately sentenced him to three months' imprisonment in the House of Correction.

We have observed, that country readers could hardly suppose that a man gives 750*l.* a year, and employs several carts and a number of men, to empty his neighbours' dust-tubs, wherein all manner of filth is thrown. Yet this is the case in every parish in and about London, the officers giving the contract to the best bidder, and to obtain which, there is sometimes as great a struggle, as to get elected

churchwarden. But how much more will our said readers be astonished, when they hear that this same Lacock clears a few hundreds a year by his contract. In a part of his extensive premises he employs several score poor women and children to sift the ashes. First they produce cinders, which sell for about half the price of coal, to forgers, bilks, &c. The next siftings becoming each finer than the last, are used as manure, and in the making lime, bricks, &c. Thus, the collecting of house ashes, which formerly the inhabitants were obliged to pay people to take away, produces a clear income sufficient of itself for the decent maintenance of a family!

The regular dusty squad, fired with indignation at this innovation on their rights and privileges, and fearing a forestalling of their Christmas presents, issued the following cautionary hand-bill to their employers:

To the Worthy Inhabitants of St. Mary, Islington.

LADIES AND GENTLEMEN,

We, the regular Dustmen of this parish, humbly present our respects to you, and beg that you will not give your Christmas Box, but to such men as deliver one of these bills, and have a medal with the following inscription—

WILLIAM DUKE OF CUMBERLAND, BATTLE OF CULLODEN.

With a Badge—R. Lacock, No. 1. and 2, Islington.

Men having been found going about dressed like Dustmen, under false pretences—to defraud the regular men of what little you may please to bestow.

Please not to deliver this Bill to any one.

JOHN SMITH, AND JOHN WILLIAMS.

LIEUTENANT GAMAGE,

(Late of the Griffon Sloop of War,)

at the yard arm of that ship, in November, 1819, for the Murder of a Serjeant of Marines.

S unfortunate young officer fell a victim to unable passions. He had ordered a Serjeant of s upon some duty, which the Serjeant, conceiving nsible with his situation, refused performing; and ghal, insolent in his replies. The Lieutenant burst violent passion, ran to his cabin, seized his dirk; ed, and stabbed the Serjeant to the heart. For this he was tried by a Court Martial, and sentenced to

execution took place on board the Griffon. He bore s with manly fortitude. About eight o'clock, he was ed by the clergyman, and remained with him till half past nine, when the procession began from his o the platform, from whence he was to be launched ernity. The clergyman walked first; then Lieutenant e, attended on each side by two friends, officers; officers followed afterwards; every one present was affected at the unfortunate fate of this young man; the ship's company particularly. Boats from ferent ships attended, as usual, round the execution, e same sympathy and pity was observable in each

receive his soul," frequently burst forth from nt seamen. He bowed, and thanked them three times, peared deeply affected with the sympathy he excited. oke shortly to his own crew, warning them to beware ng way to sudden passion. As soon as he reached the m, he prayed again with the clergyman, and precisely o'clock, the signal-gun being fired, he was run up to rd-arm, amidst the repeated exclamations from the n of "God bless and receive him!" He appeared to but little.

Previous to the execution, the following circular address was sent by Admiral Foley to every ship in his fleet:—

"The Commander-in-Chief most earnestly desires to direct the particular attention of the fleet to the melancholy scene they are now called to attend—a scene which, he hopes, will, from its awful solemnity, make a strong, and, much he hopes, an impressive deed to every person in it—a lesson to all who are to command, as well as those who are to obey. Lieutenant Gamage is represented by every person who knew him, and by the unanimous voice of the Griffin's ship's company, as a humane, compassionate man, and an indulgent officer; yet, for want of that guard which every man should keep over his passions, this kind, humane, compassionate man, commits the dreadful crime of murder!

"Let this example strike deep into the minds of all who witness his unhappy end; and, whatever their natural disposition may be, let them learn from this, that they are never to allow to remain in their power a moment which may be the last, one moment of unrepented anger may destroy the hopes of a well-spent, honourable life, and bring them to an untimely and disgraceful death. And let those who are to obey, learn from the conduct of the Serjeant the fatal effects which may result from contempt and insolent conduct towards their superiors. By repeated insolence the Serjeant overcame the kind and gentle disposition of Lieutenant Gamage, and by irritating and inflaming his passion, occasioned his own death.

"The Commander-in-Chief hopes that this afflicting lesson may not be offered in vain; but, seriously contemplating the awful example before them, every officer and every man will learn from it, never to suffer himself to be driven by ill-governed passion to treat with cruelty or violence those over whom he is to command, nor by disobedience or disrespect to rouse the passions of those whom it is his duty to obey and respect.

(Signed) "THOMAS FOLEY.

"To the respective Captains and Commanders of his Majesty's ships and vessels in the Downs."

The body was brought on shore for interment at two o'clock, and was received at landing by Baron Dowry, Esq. Governor of the Navy Hospital, who, with a number of Naval and Military officers attended this unfortunate young gentleman's remains to the burial ground at the Naval Hospital, where they were deposited. General Trollope and the officers of the Griffon, with several of the crew, were present, and bore ample testimony, by their appearance, to the regret they felt at his untimely fate.

It might have been hoped that his untimely fate would have served to check the passions of young officers in dispensing their orders to those under their command. We are, therefore, sorry to find a case nearly similar, and immediately after that of Lieutenant Carnage.

A Court Martial was held on Tuesday the 24th of November following, on Plymouth Harbour, on Mr. Robert Watson, late Midshipman of his Majesty's ship Sylvia, on charges of drunkenness, contempt, disobedience of orders, and for striking Isaac Smith, Corporal of Marines, in several places with a dirk; which being clearly proved, the Court adjudged the said Walker to forfeit the whole of his time as Midshipman, and to come before the mast of such of his Majesty's ships as the Commander-in-Chief shall direct; and as a further disgrace, ordered him to be then gitmgside every ship and vessel in the said harbour, where the sentence was publicly read.

WILLIAM BROWN,

Executed the 10th of August, 1812, in Kent, for a most singular Murder of a Child.

WILLIAM BROWN, a private soldier in the Royal Artillery, was indicted for the wilful murder of Isabella

Mac Guire, a child of the age of seven years. The circumstances of this case were of an extraordinary nature. The prisoner was a servant to Lieutenant Webber, and bore a most exemplary good character in the regiment; some things, however, had been stolen from his master's closet, and he was suspected of the theft. He absented himself all the night of the 4th of April, and on the morning of the 5th, as early as between five and six, he came back to the barracks, and awakened a person of the name of Jeffecot, with whom he had lived. After some preliminary conversation, he told him he had committed a crime for which he must be hanged, and desired to be taken to the guard-house.

Adam Little, Serjeant-Major there, received him into custody; and, desiring to speak to the Serjeant in private, he then told him, that the last night he had murdered a little girl. The Serjeant desired him to state further particulars. He said, that getting over a stile, which led into a lane, he saw the child at play, who cried when she saw him; that he then took the child in his arms, and with his finger and thumb strangled it. As soon as it was dead, he carried it under his arm for some distance, and laid it on some stone steps in a place he described.

A witness was called, who found the child in the place where the prisoner described he had left it; and the surgeon stated, that, by the marks under the throat, the child had evidently been strangled in the manner described by the prisoner.

The prisoner could ascribe no motive for this act.

The Counsel for the prisoner examined as to whether the prisoner might not be labouring under a temporary derangement in the brain, from the improper use of mercurial medicines.

The Serjeant said, he knew the prisoner had administered mercury and laudanum to himself without medical advice, but he did not know in what quantities.

The Lord Chief Baron, in summing up the evidence, stated, that the mere atrocity of the act itself must not be considered evidence of insanity, otherwise the most guilty

criminals would escape; and here was evidence much too light to infer any derangement of mind.

The jury found the prisoner Guilty, and he was executed the Monday following.

Extraordinary Footpad Robbery and Suicide.

ON the 29th of October, 1812, a footpad robbery took place about one o'clock in the day, attended with very extraordinary circumstances. Mr. Robert Thorley, on his way from town to his residence at Petersham, sent his servant forward from Wandsworth with a message to his family; and, instead of himself proceeding home through Richmond-park, as was his custom, he went by the private road, which turns off to Richmond a little beyond the seven mile-stone on the Wandsworth road. When Mr. Thorley had passed the first gate a short way, he perceived a female, attired like a quaker, and a man following her at a short distance, on the side-path, which is parallel with the horse-road. The man appeared to be a carpenter or mechanic, with an apron folded round him. As soon as Mr. Thorley came opposite to him, he sprang suddenly from the foot-path into the road, which, causing Mr. T's horse to startle, he involuntarily struck him across the breast with a rattan stick; and, supposing the man to be intoxicated, he inquired what he was about. The robber on this took out a pistol from his left side, which Mr. T. observed was loaded up to the muzzle, presented it, and said, I must have your money." Mr. T. replied, "You can have but little;" and gave him all the silver he had, consisting of a Bank-token or two, and a few shillings. The man observed, "If you will do me no injury, I shall not hurt you;" and then retired, saying, "Real distress has compelled me to this act."—This observation disarmed Mr. T. of all resentment against the unfortunate wretch, and he was only solicitous to render

him service. He told him it was a shocking alternative he had chosen; and inquired if he did not know, that by the act he had just committed he had forfeited his life. The footpad walked on, and would hear no more. Mr. T. was still anxious to learn the man's situation, and continued stationary, and looking after him: but the footpad mistaking his object, turned back, and followed him hastily with a presented pistol. Mr. T. did not, however, lose sight of him, retiring to no greater distance than was necessary to avoid the danger of the shot. At this instant a person on horseback passed close to the robber, when Mr. T. called out, "A highway-man!" The footpad immediately shewed his pistol, and desired the gentleman to go on, who proved to be a Mr. Smith, of the city. Mr. T. and Mr. S. conferred together as to the best mode of apprehending the man, when Mr. Reeve, a magistrate, arrived on the spot. By this time the footpad had got over the hedge into an adjoining field; and a servant of Mr. Nettleton's having joined the party, means were immediately employed to take him.—Mr. Smith rode to Wandsworth for a constable, whilst the other persons stationed themselves in such directions as to prevent all possibility of an escape. At this moment a pistol was heard from the opposite side of the hedge to that on which Mr. Reeve was: and that gentleman conceived at first that he had been fired at by the robber; but on farther investigation it was found that the wretched footpad had laid violent hands upon himself, by discharging the contents of the pistol into his own head. He was found without one of his shoes, lying on his back, and quite dead. The body was taken to the George Inn, at Wandsworth, where a Coroner's Inquest was held upon upon it, before ——— Jemmet, Esq. Coroner for the county.—Verdict—*Felo-de-se.*

JOHN DAVIES,

Six months Imprisonment, for buying Guineas at a higher Price than their nominal Value.

s another case of a knavish Jew being outwitted
cientious Christian.

Middlesex Sessions, September, 1812, John Davies
evy, two Jew old clothesmen, were indicted for
uineas contrary to Lord Stanhope's Act. The de-
aving been suspected of the practice of buying up
nan named Hatfield, with the approbation of the
for the Mint, and in conjunction with Humphries,
e-officer, was employed to endeavour to detect

day mentioned in the indictment, Hatfield met
dant Levy in St. James's-street, and was accosted
and asked, whether he had any clothes to sell.
said he had not; and, after some conversation,
s defendant if he would buy some guineas; the
replied in the affirmative, and it was agreed that
ld meet at the Goat and Lion public-house, St.
in the course of half an hour. Hatfield then in-
Humphries, the officer, of the appointment, and
neas were marked by him, and delivered to Hatfield.
time appointed they went to the Goat and Lion;
es remained in the back ground, and Hatfield went
house, where he found Levy already there, and
the other defendant, Davies. After some con-
had passed between them, Davies purchased the
neas at 25*s.* each,* and they were delivered to him,
as the transaction was complete, upon a signal
ven, Humphries came in, and Davies was imme-

---

ian dealers in this species of illegal traffic, and who carry it on
of London, with impunity, in a wholesale way for exportation,
e given, at least, a shilling a piece more than the Jew, for these
guineas.

diately secured. On the officers attempting to search him, he called out, "Thieves," and resisted. He was, however, overpowered; and on searching him the marked guineas were found in his pocket. The jury found Davis Guilty, but acquitted Levy.

The Chairman, after animadverting on the mischievous tendency of the offence of which the defendant had been convicted, sentenced him to imprisonment for six months in the House of Correction, and to find sureties at the expiration of that period for twelve months longer.

GRAVE ROBBERS,

Commonly called Resurrection-men.

The Resurrection-men of London, like other combinations of workmen, struck for higher wages the other day, and refused to supply the Edinburgh and Glasgow schools of Surgery with dead bodies, under an advance of two guineas for each subject. These sacrilegious rogues assigned as reasons for such demand the increased difficulties and dangers attendant upon the robbery of a church-yard, even in alliance with the *Sexton* of the parish, and the great scarcity of *sound* subjects after they have resurrected them, from the more corrupt manner in which they now die, as well as live." *London Statesman, 17th Sept. 1812.*

"The Resurrection-men, it is said, have entered into a combination, and have raised the price of dead bodies from three to four guineas each. They justify the extortion by alledging that they expend a large portion of the profit in bribing watchmen to sleep while they are employed in the burying-grounds; sextons for leaving the church-yard gates unlocked; and hackney coachmen for carrying off their goods. In addition to those pleas of extortion, they state that the increased price of every necessary of life

compels them to raise the *wind* after they have raised the *dead*.—*London News—Sept.* 1812.

A numerous gang of these grave robbers was not long ago apprehended at Deptford, near London. One circumstance, perhaps, will serve to shew how they conducted themselves: having been at their usual pot of beer club, the lads on duty for that night were rather late in going to work; so that before they had got their regular load, day-light broke in upon them, and the bustle of persons passing and repassing by the church-yard compelled them, from fear of detection, to hide themselves in the very tombs where they had, during the preceding night, been disturbing the peaceful ashes of the dead, for the very worst of purposes.

Thomas Light, (who may well be said to have done the deed of darkness,) alias John Jones, alias Thomas Knight, who was lately indicted at the Middlesex Sessions, for stealing dead bodies for dissection, but did not appear for trial, in consequence of which a bench warrant was lately issued against him, was, on the 13th of October, 1812, with his accomplice, one of his bail, named Patrick Harnell, charged by Watts, a horse patrole, in having been the night before found in the act of stealing three dead bodies of St. Pancras, or St. Giles's, which are separated by a wall only, by the horse patrole, watch of the Hampstead and Highgate district.

Light attempted to escape, but was secured; and, from the frequency of such offences, strong indignation was excited at the office. It was not clear from which burying ground the bodies were stolen; and, therefore, the Magistrate ordered notice to be served on St. Giles's parish officers, to attend the final examination, on a future day, and remanded the prisoners.

One of the dead bodies was that of a female apparently of eighteen years of age—a second a boy of about twelve—and the third a new born infant. The sack into which they were all crammed was taken to the Elephant and Castle public-house at Pancras, in the hope of their being owned and re-interred. It appeared on a second examination that

the dead bodies had been paupers who had died in the poor-house of St. Giles's, and had been buried in the burial ground belonging to the said parish; and from whence they had been taken. The prisoners denied having any knowledge of the transaction, farther than seeing two men with the sacks, who made their escape.

Light was at length brought to trial at the Quarter Sessions, October Sessions, 1812, for this most unnatural kind of theft. Besides the suspicion upon him in the affair at Pancrass, above-mentioned, it was proved, that one evening he was stopped in Great James's-street, Bedford-square, on his road to an eminent surgeon's, with the dead body of a man; but the proof failed of his having stolen it out of a church-yard; and, though not a shadow of a doubt remained of his guilt, for a while he escaped the punishment of the law.

HENRY MOORE AND JOHN WILD,

Midnight Guardians of the Peace of the Citizens of London, imprisoned for Abuse of Office.

(A Sketch of the Administration of Justice in a Watch-house.)

DAVID MOORE, the deputy night-constable, and JOHN WILD, one of the parish-patroles, in the neighbourhood of Finsbury-square, were indicted at the Middlesex sessions, for a misdemeanour in the wanton imprisonment of Mr. Leonard Pope, on the night of Good Friday, 1811.

It appeared from the evidence of Mr. Pope, who is a very respectable man, that having spent that evening with some friends, he was going soberly home through Bunhill-row, between one and two in the morning; and, on turning aside for a necessary occasion, he was immediately accosted by the patrole, Wild, who, without any pretence or colour

of a charge, insisted on taking him to the watch-house. Thither he went. The presiding constable simply asked, "What charge?" The patrole simply answered, "disorderly;" upon which Mr. Moore, the deputy *Rhadamanthus* of this midnight tribunal, without deigning to inquire into the particulars of the charge, or vouchsafing to hear a word from the prosecutor, in defence, or explanation, instantly pronounced the stern decree of, "Lock him up,"* Mr. Pope, however, ventured to rap at the door of his dark prison, and to plead through the key-hole his earnest request to be favoured with an hearing at least before the midnight Magistrate, face to face with his accuser. He was allowed to come forth: and, in solemn mockery was asked, "What have you to say, Mr. Alderman?" He told them he was a respectable citizen, well known to Sir Charles Price, and intimately acquainted with at least seventeen members of the Common Council, any of whom would come forward and bail him, if he was allowed to send them an account of his situation; but in vain, municipal influence had no weight here; no friendly messenger could be obtained, and Justice Moore once more uttered the dread decree, "Lock him up;" when Mr. Pope was immediately recommitted to his dungeon, and confined there until two o'clock next day, when he was discharged by the Magistrate; his family in the mean while were in the utmost anxiety for his safety. The jury found both defendants guilty, and the court sentenced them to two months' imprisonment each.

---

* The late Sir William Addington, when he presided at Bow-street office, went to one of those occult prognosticators, disguised as an old beau; and, having his fortune told in the usual way, begged the old lady to inform him, "whether she had ever read her own fortune?" She cheerfully said she had, and that "she would live an uninterrupted course of life, in her present way, very happily, until the age of 100 years, and that then she should be translated into purgatory for a short time, and afterwards put under the care of Peter."—"Very true," said Sir William, "only you place Peter in the back ground, who might be in the front, and mistake the time, for its fulness is now come; here Peter, (to one of the officers) take this Lady under your care, bring her down to the office, and I'll give her a passport to Bridewell, which, I trust, will operate as a purgatory to the old Lady's bad living."

JOHN WALKER.

Another tyrannical Guardian of the Peace of the Night, and

At the London Sessions held at Guildhall on the 20th November, 1812, this man was indicted for a grossassault upon Elizabeth Ann Hammond. This lady was the wife of Mr. Hammond, a respectable insurance broker in Change-alley, and who deposed, that as she was returning from Covent-garden Theatre, on the 24th of October, in company with her husband, she was treated with the most brutal violence by a coal-heaver, named Eagle, whom Mr. Hammond, with the assistance of the patrole, secured and took to a watch-house in Broadway Blackfriars, where the defendant presided as constable of the night. The defendant, however, willing to turn the affair to his own advantage, refused to receive any charge against Eagle, unless some money was deposited with him by Mr. Hammond, who, to avoid Eagle's escaping, consented to such deposit, but protested against the defendant's conduct in demanding it, and threatened to punish him for so doing. At this the defendant declared to take the money, and expressed his determination to commit Mrs. Hammond, if the charge against Eagle was persisted in, and which, not being withdrawn, the defendant proceeded to take Mrs. Hammond to the Compter, but before he left the watch-house, in order to shelter his own misconduct, he advised Eagle to make a counter-charge against Mrs. Hammond; and which being made, the defendant, notwithstanding the threats of Mr. Hammond, proceeded to force Mrs. Hammond from the watch-house towards the Compter, in company with Eagle, until they arrived at the house of a gentleman who was known to Mr. Hammond, and who undertook for her and Mr. Hammond's appearance, if necessary, the next morning. This fact being clearly proved in evidence, the defendant's counsel

after a strict cross-examination of the witnesses, admitted, that, while he saw no pretence for the defendant acting as he had done, he saw many reasons why he ought to have acted otherwise; and the jury, without a moment's hesitation, pronounced the defendant Guilty.

The Learned Recorder, after pointing out to the defendant the necessity there was for investing a certain degree of power in the hands of constables, and remarking in terms of severity on the unwarrantable manner in which the defendant had abused the authority with which he was entrusted, sentenced him to be imprisoned for six calendar months in the Gildport-street Compter.

It is much to be regretted that the smallest portion of power should be delegated to men of low habits; and it is still more lamentable to be told that similar cases have occurred in almost every midnight place of punishment. We by no means say that watchhouses are unnecessary in large cities, where numerous lazy and disorderly people of both sexes prowl for plunder; but the presiding officer ought to possess some sense of discrimination to make some difference between the appearance of respectability and the garb of the profligate.

As General Chasing was returning home about twelve o'clock on the 20th of October, 1818, through Princes-street, he was attracted by the cries of a woman. On approaching the place, he discovered a coachman very much intoxicated, kicking and beating his wife in a most inhuman manner. The General expostulated with him; upon which the coachman aimed a blow at the General, accompanied with very abusive language. The General then called the watchman, and gave him charge of the coachman. This was reluctantly complied with by the watchman, who seemed to have a sympathetic feeling for him, and enquired who the General was, and whom he *worked for.*

Mr. Tebbs, a respectable tradesman in Bond-street, seeing the manner in which the General (who was at that time unknown to him) was treated by the watchman, and *knowing from experience* the treatment a gentleman

the General's appearance was likely to meet with at the watch-house, accompanied him there. The General, on his arrival, enquired for the constable of the night, and was answered by the defendant, a man of the name of Dean. He then gave charge of the coachman for an assault, and related the whole of the circumstance. The constable said the coachman had made his submission, and recommended the General to give up his charge, which he refused to do; and the coachman thereupon said he gave charge for charge; and when the General was going away, he was told that he was a prisoner, the coachman having given charge of him. Mr. Tebbs asked the defendant if he would take bail for the General's appearance next morning; and was answered in the negative. He then asked whether, if an housekeeper and an inhabitant of the parish should be proposed as bail, he would accept him. To this he answered, he would not. Mr. Tebbs then proposed himself as bail, but was rejected; he offered the General to become his bail, and advised him, by way of form, to tender him to the defendant, which he did accordingly. The constable again refused to admit him to bail. The General said it was of no consequence: as there was a good fire, he would sit down by it till the morning, and placed himself in a chair by the fire, when he was told he must not sit there. The General said he would stand. He was then told he must not stand, for he must go to the dungeon; and he was accordingly lodged with the coachman in a miserable hole about 20 feet by 12, only 7 feet high, without fire and candle, and kept there for the space of twelve hours, without a chair or any thing to sit on, and scarcely able to walk, for fear of slipping in the filth disgorged from the overloaded stomachs of its former inhabitants, the stench of which was heightened by an overflowing privy in one corner of the dungeon, and this still increased by the taunts of the coachman.

The General was taken before a Magistrate at one o'clock the next day, and discharged.

For this oppression, the General brought his action, in the Court of King's Bench, when evidence was adduced on the part to the above effect before the Sheriff of Middlesex, on

ecution of a Writ of Inquiry of damages, the con-
having suffered judgment by default. The jury gave
ndred pounds damages, with loss of suit. This
ination, we might have thought, would have proved
onary lesson to these kind of nocturnal Magistrates.

THOMAS BOWLER,

ted before Newgate, for maliciously shooting at Mr. Burrowes, his Neighbour.

S is one of those dreadful cases wherein, not plunder,
e worst passion of revenge hurried an hoary sinner to
he life of a fellow creature. The perpetrator of this
n-like deed, was wealthy; but neither riches, ease nor
could mellow his heart, or teach him humanity.
s man appeared Thomas Bowler; who, in consequence
former dispute with his neighbour, Mr. Burrowes, but
apparently had been settled, sought his death. Both
men were farmers, the former possessing considerable
rty at Harrow, in the county of Middlesex; the
was also a salesman who attended the London markets.
the 30th of May, 1812, Bowler came to a blacksmith
e name of Jones, on the road side leading from
w to London, and had with him a blunderbuss. He
ained to Jones that the pan would not hold the powder,
nd he wanted to shoot a dog, observing, at the same
this (the blunderbuss) will bring him down. He
l the blunderbuss behind the vice, and went to a
outing tree, from which he had a view of the road.
itched for some time; said he wanted to see Burrowes,
would save him a journey to London. After some
Burrowes came along the road, and seeing the prisoner
rose to draw up his chair cart to speak to him; when

Bowler, who had before taken the blunderbuss, immediately levelling it, fired at him, saying—"There, d—e, you shall have it!" The force of the contents of so large a piece of fire-arms as a blunderbuss, threw the sufferer on his back, and knocked off his hat; but, partially recovering, he fell forwards on the shafts of his cart, and the horse, taking fright at the report, set off at full speed. As soon as he had fired, Bowler called to his grandson, a boy who rode his horse at a short distance, and, ordering him to dismount, took his place on the saddle, and galloped off, calling with an oath for the boy to follow him.

Bowler fled upon the same horse to Waddesdon, near Aylesbury, about thirty miles, where he arrived about eight o'clock in the afternoon, and there remained until the next morning.

[redacted]

With whips and stings,

[redacted]

So public and daring an attempt to murder soon reached the police in London; and two officers from Marlborough-street, Fox and Craig, instantly set off in pursuit of the assassin. They traced him from public-house to public-house between the two turnpike roads, for several days, and they at length followed him back to the place of his birth, where he had stated his case to a female relation, in whose house he intended to sleep that night. The officers arrived on Saturday morning, after an unsuccessful pursuit; but in the afternoon, an express arrived that Bowler had returned to his own house, where he was taken by his neighbours. The officers brought him to London, and he underwent an examination before Mr. Conant, at ten o'clock on Saturday night. He confessed discharging the pistol at Mr. Burrowes, but said he was mad at the time; and to strengthen the assertion, he asked if a man in his senses could do such a thing, to be obliged afterwards to lie about the fields, and drink ditch water. He pressed strongly to be admitted to bail, and offered 10,000*l.* deposit to be allowed to return home.

[redacted] Bowler was capitally indicted, for wilfully, maliciously, and feloniously, firing a loaded blunderbuss at William Barrowes, on the 30th of May, 1812, at Alperton, in the parish of Harrow.

This trial lasted from ten in the morning, until seven in the evening.

The first witness was William Barrowes, who stated, that he resides at Alperton, in the parish of Harrow, and occasionally attends in St. James's, Hay-market. He usually passes by this spot every market morning, by the prisoner, on his way to town; and, about seven o'clock in the morning above-stated, he was travelling towards London, in a chaise cart, over the canal bridge, near his house, and the forge of a blacksmith, named Jones, when he observed, under the shade of a tree, close by the road side, and at about twenty yards from him, the legs and thighs of a man whom he took to be the prisoner, and, when he came within fifteen yards of him, the prisoner raised a blunderbuss, took deliberate aim at him, and instantly the witness stooped down in his cart, and [redacted] would not fire. The prisoner immediately exclaimed, "Damn your eyes like that," and fired. The witness instantly found himself wounded in the head, neck, and back. He fell forward in the cart across the shafts, and was alarmed by the report of the piece, ran away with his horse. He had no previous quarrel with the prisoner; had had conversation with him two or three days before. There had been some trifling dispute between them about the division of their mowing-rope concerns which had just ended to the prisoner's property. This was about the middle of March, and nothing had passed between them personally on the subject of trade since.

Cross-examined by Mr. Knapp. Witness said he had observed nothing in the prisoner's manner, conversation, or behaviour on the preceding Wednesday, when he conversed with him, to give him reason to think he was not right in his mind; that he did however declare any opinion that a statute of lunacy should be taken out against him. He had some time ago, borrowed of the prisoner about 200*l.* for which he

prisoner called on him rather suddenly. He paid him the money with some expressions of resentment; but the prisoner would not take the interest, which amounted to about 3*l.* or 4*l.*

Henry Jones, blacksmith, said, that on the morning stated, he met the prisoner on the bank of the Canal, near his house, with a blunderbuss in his hand, on foot, accompanied by a boy, his grandson, named Bargam, on horseback. He told the witness his blunderbuss would not hold the priming, and wished him to go to his shop and put it in order. Witness accompanied him to the forge, when prisoner laid it on the vice-board, and told him to take care of it, as it was loaded, and on full cock; he told witness he only wanted to shoot a dog with it, but did not wish to let the boy know: he hoped it would fetch the dog down. He then went out, leaving the blunderbuss there, and walked up and down the road till near seven. He heard him tell his grandson, that he waited to see William Burrowes, as he wanted him to purchase a load of straw in town, and save himself the journey. The prisoner returned, and took away the blunderbuss, and posted himself close to the opposite ditch, under the shade of an elm-tree, which concealed him from the view of any person coming from the bridge. In a little time afterwards, when Mr. Burrowes came over the bridge, and was within a short distance of the prisoner, he raised the blunderbuss to his shoulder, and fired at him in the manner already described; on which Mr. Burrowes fell in the cart, and his horse ran away with him. The boy dismounted; and the prisoner, in endeavouring to mount the horse, dropped his hat; but he picked it up, put it on, mounted, and galloped off over the bridge, calling to his grandson, "Never mind! damn your eyes, follow me."

Jane Jones, wife of the last witness, and Mary Anne Bond, both eye-witnesses of the transaction, corroborated the foregoing testimony; and produced two leaden bullets, with the hat of Burrowes perforated by two shot-holes, which they picked up on the spot where he was wounded. Mary Church had immediately afterwards found the blunderbuss beside the ditch, where the prisoner had thrown it;

and it was identified by Jones, the blacksmith, as the one he saw.

William Sheppard, a stable-keeper of Bolsover-street, knew the prisoner and prosecutor. In March last, the prisoner said to him in the Hay-market, St. James's, "Damn that Burrowes's eyes, I'll Burrowes him before long; he sha'nt live to the end of June, if I was to be hanged the next moment." Witness said, "Mr. Bowler, don't take away a life, because you can't give it again." But the prisoner answered, "I'll be d—d if I don't be the death of him before the middle of June, if I was to be hanged the next morning." Witness acquainted Mr. Burrowes with what Bowler had said; and he answered, "I don't fear him, he is too fond of his own life to take away mine."

John Eamer, brother-in-law of Mr. Burrowes, proved that he apprehended the prisoner, who had absconded, on the 6th of June, at his own house, and brought him to town; that the prisoner, on the road, entreated him not to take him from his own family; said that as he was a relation of Mr. Burrowes, he could do a great deal for him; and that if he would suffer him to remain confined with his daughters and grand children, he would give him ten, twenty, or thirty thousand pounds. The witness, however, brought him to Marlborough-street-office.

Mr. Withers, attorney, and son-in-law to the prisoner, proved, that the dispute between the prisoner and Mr. Burrowes about lopping the trees was adjusted without any law-suit. He said that he had a fit last July in his hay-field, and fell from his horse, and that from that time to the present, he appeared much deranged in his memory, intellect, temper and deportment; and particularly since March last; that he was in the habit of rising at two or three o'clock in the morning, breakfasting at four or five, playing cards with his housekeeper till nine or ten, when he usually dined upon meat half raw; and sometimes scarcely warmed through, and going to bed again at three o'clock; that he one time proposed to this witness to dance for him while he played upon the gridiron. He seemed to be much

oppressed with an apprehension that he had committed some mistake in purchasing his land-tax, which rendered him liable to be exchequered, and deprived of his estate; and he could not be persuaded to the contrary, although no such mistake existed; and at one time he gave the witness a blank check on his banker to fill up at his discretion, for any sum that might be necessary to save him from the consequences of his supposed mistake. He talked of leaving the country, and said, that it was owing to a conspiracy between Mr. Burrowes and some of his neighbours, that he was to be exchequered. The witness, however, admitted on his cross-examination, that the prisoner was allowed to manage his own affairs, and that, notwithstanding his threats and the apprehensions of his friends for the destruction of his own life, he was allowed to shave himself, and that no steps were taken to restrain him as a person deranged. Witness refrained from such steps, through motives of delicacy; but he thought his wife sent for a medical man to attend him.

Mr. Winkley, a school master, of Harrow, swore, that in consequence of directions from the prisoner, he waited on him between five and seven in the evening of the Wednesday previous to the Saturday on which the fact was perpetrated, to take instructions for altering his will. He took those instructions in the presence of two of his neighbours, drew the new will on the following day, and walked on the prisoner in the presence of those witnesses on the Friday afternoon, when he declared it was all right, and executed it duly in the presence of two other witnesses, who signed their names; and all those witnesses deposed, that the prisoner appeared to them, throughout the whole of this transaction, to be perfectly collected, and in a state of mind quite capable of transacting the business he was about: in fact, they saw nothing the matter with him.

Here the evidence closed on the part of the prosecution.

The prisoner said nothing in his own defence, but a considerable number of witnesses appeared to prove his insanity from the time he had the fit and fell in his hay-field, in July, 1811.

Mr. Hyatt, an apothecary, of Ealing, was the person who attended him, and deposed to that effect. He admitted, however, that he had not advised his friends to proceed to a Statute of lunacy, although he attended a consultation on that subject a few days before this unfortunate event, and he had it fully in his intention to recommend such a proceeding. He had always considered the prisoner to be a violent and passionate man, but never so much so as since July, 1811.

Dr. Ainsley had visited the prisoner in gaol since his apprehension on the 11th, 12th, 13th, 15th, 27th, and 29th of June; and, comparing the symptoms of his derangement with the reports of Mr. Hyatt and his friends who had seen him during the last year, was convinced his derangement must have been of long standing, and of the character of the derangement arising from epilepsy; he was persuaded that his derangement continued down to the present moment, with some variation, certainly, for better or worse at times.

Mr. Warburton, who has been for many years in the habit of attending on insane patients, said, it is a characteristic of insanity arising from epilepsy, for the patient to conceive strong antipathies, and desire of vengeance, against some individuals for imaginary causes, and even against their dearest friends, and not to be susceptible of persuasion to the contrary, although rational and collected on every other subject. He was quite convinced of the prisoner's insanity, and that he himself could not be deceived by appearances, merely assumed.

Mr. Webb, surgeon of New Prison, was of the same opinion.

Mrs. Withers, the prisoner's daughter, bore testimony to his derangement.

Mr. Charles Holdship, clerk of the Petty Bag-office, in the Court of Chancery, produced the Statute of Lunacy obtained against the prisoner, under the Great Seal, and bearing date the 17th of June, 1812, with the decision of the jury, that he was deranged since the 30th of March, 1812.

Sir Simon Le Blanc, in his address to the jury, observed, that to constitute the crime with which the prisoner was charged, he must have been capable of judging betwixt right and wrong. The question was, did the mind of the prisoner accompany the act of discharging the blunderbuss. If the jury were of that opinion, they would convict him, although he should have had such knowledge of wrong doing, for which he would be brought to justice. It mattered not if he had been insane, as described by the witnesses, some of whom had gone beyond what the law would bear them out in. The jury would direct their attention to the conduct of the prisoner on the morning of the 30th. If he was acting under the oppression of delusion at that time, so as not to have rational understanding sufficient to know that he was doing an act for which he was liable to punishment, he was entitled to a verdict of acquittal; but it should be taken into consideration that he was prepared for an escape, which was a presumption that he had had knowledge of right from wrong, and that his faculties were unimpaired. The jury would compare this with the Surgeon's evidence, and decide by their verdict. The jury retired two hours, and returned a verdict of—Guilty.

Soon as the verdict was delivered, Mr. Burrowes, the much injured prosecutor, rose and addressed himself to the judge, pleading for mercy to his intended murderer, on the ground of his being a neighbour. However humane the plea, it could not be expected to prevail in behalf of so great and old a sinner.

When the prisoner was brought up to receive the sentence of the law, and, in the usual form, asked what he had to say why sentence of death should not be pronounced against him, still affecting insanity, he answered, "When we came to Uxbridge the waters were out; so we returned."

At the place of execution, before Newgate, he joined in prayer with the clergyman, and resigned himself with resignation, and without any indication of mental derangement.

He appeared to have been more than sixty years of age, but of a strong corporeal frame.

MONTGOMERY BROWN,

(Captain of a Merchant Ship,)

Executed at Antrim, in Ireland, the 27th of July, 1812, for Murder.

AT the Summer Assizes, at Antrim, 1812, Montgomery Brown stood indicted for the murder of Charles Moore, at Belfast, on the 3d of September, 1811. This trial had been put off last Assizes, on account of the absence of a material witness on behalf of the prisoner; and an application was now made to the Court for a similar purpose upon the affidavit of the prisoner, but refused by the Judge.

Counsellor Macartney rose on behalf of the prosecution. He stated, that on the 3d of September, 1811, prisoner was Captain of a vessel then lying at the quay of Belfast; the deceased was a respectable victualler in Belfast, and prisoner came to his shop to purchase some meat; deceased had been married about a year, and a young child, the fruit of such marriage, was then in the shop; and deceased, taking up the child, asked prisoner, "Was not that a fine fellow?" Prisoner answered, "Yes, to be the child of an Irish b——r." Deceased replied, "Why not by an Irish as well as a Scotch b——r?" Prisoner being a Scotchman, Prisoner replied, "He would make him repent saying that." Deceased then turned away, not expecting so fatal a result, when the prisoner seized a large knife which lay in the shop, and stabbed the deceased in the back of his loin; of which wound he languished for a few days, and then died.

Several witnesses were examined, whose unanimous testimony went to establish those facts.

The Jury, after retiring about ten minutes, returned a verdict of—Guilty.

The Clerk of the Crown then addressed the prisoner in the usual form:—

"You, Montgomery Brown, heretofore stood indicted for the wilful murder of Charles Moore, for trial of which you put yourself on God and your country, which country have

found you guilty; what have you to say, why judgment of death and execution should not be awarded against you according to law?"

Prisoner—"My Lord, if I am guilty of it I know nothing of it; I had no malice to the gentleman; I did not know I acted the crime."

The Judge then addressed the prisoner in nearly the following terms:—

"Montgomery Brown, you have been found guilty of murder, on clear and most satisfactory evidence. It is very true you had no previous malice to this unfortunate man. Your jury have been told so; but they have found you guilty of inflicting a mortal wound, without the slightest provocation. It is proper that the equity of the law under which you suffer should be laid before the eyes of this country. You have been found guilty of plunging a knife into the body of the innocent victim—a deadly weapon—with the utmost malignity of heart, and hurried a young man, recently married, out of the world. A greater crime you could not be guilty of; precipitating him to the grave in the prime of life; depriving his child of a father, and his wife of a loving husband. You have committed that crime which stands marked with the utmost abhorrence of heaven. You stepped between him and that Providence, of that God, who alone has a right to dispose of human life; and you are deprived of the unavailing plea of insciousness in the commission of this direful crime, since your having no provocation is to be considered a proof of your madness. This was the madness of wickedness; and you have given vent to your brutal fury in the sacrifice of this innocent man. I am now bound to tell you, you are to expect no mercy in this world; here you have but a short time to live. The law, to mark its abhorrence of your crime, has shortened the period of your existence. That short interval employ in seeking the mercy of Heaven. Let not your mind be distracted with any vain hopes of mercy in this world."

His Lordship then proceeded to pronounce the awful sentence of the law, in the usual solemn terms, viz.—"The

red on Monday, and his body to be delivered to the
ons of the County Infirmary for dissection. The pri-
made no reply, but was silently removed to the gaol.
his unfortunate man, from the period of receiving
ence of death, spent his few remaining hours in acts of
tion, in which he was assisted by the Presbyterian
ryman of the parish. His wife was also his companion
ng these solemn hours of preparation for death. Mon-
about three in the afternoon, she was withdrawn from
at also his daughter. But previous to his leaving
gaol, about half-past five o'clock, they were per-
ed to have a last interview with him for a few minutes.
was then conducted from the prison to a chaise, in
h also the clergyman accompanied him; and, thus
nged, he was conveyed to the common place of exe-
on, escorted by the Sheriff, and a very strong guard of
Pembrokeshire sharp-shooters, stationed at Carrick-
ds. Having arrived at the fatal spot, he spent nearly
an hour in devotional exercises, and then the necessary
parations were made for the finishing of the law. He
uded a car with the executioner; and, having addressed
surrounding spectators, an immense multitude, he ad-
ished them in a particular manner to avoid the sin of
ronness, and to guard against passion.—After he had
ered a few words to this effect, he was launched into
ity; and, when the body had been suspended the usual
th of time, it was taken down and carried to the Old
t-house; where his afflicted family waited to receive it.

JOHN HUGHES AND JAMES ROBINSON,

[illegible] for a Conspiracy in aiding the Escape of the French General Phillipon, and Lieutenant Garnier, Prisoners of War, upon their Parole of Honour, at Oswestry, in Shropshire.

has lately been discovered that the escape of French
oners has been a system among smugglers, fishermen,

and publicans on the coast opposite France. These traitors went to the different depots of French prisoners, and to those on their parole, from time to time, to offer to effect the escape of such as could raise certain sums of money to defray the expenses and rewards payable in this country, whereby many officers have been enabled to break their parole, and have got safe to France, where they have been received by public officers at the ports, who paid the sums agreed upon for their sea-passage.

The discovery was made by the apprehension of eight officers, who left Andover the 1st of October, 1812, and were compelled by stormy weather to re-land near Christchurch, on the 12th of October, after having embarked from that neighbourhood in a Weymouth smuggling boat.

They had reached the coast, between Christchurch and Lymington, by the skill of their guides, without interruption, but, unable to conceal themselves effectually on their re-landing, notice was given of the suspicious appearance of the parties, to Mr. G. Rose, at Mudeford, by Mr. How, a most meritorious officer in the superior class of the Customs, whose zeal and courage have often been conspicuous, but in no case more so than in this. An active investigation was immediately set on foot by the above-mentioned Magistrate, at whose instance Mr. How was permitted by his board to assist. Vickery and Atkins were sent for from Bow-street; and Mr. Jones, Assistant Solicitor to the Admiralty, was sent to Mr. Rose by the Transport Board. A pursuit after the offenders was then made in various directions, and Calliford (who had been convicted in 1811, of a similar offence before Mr. Baron Graham,) a remarkably desperate man, who was always armed, and who had the leading active share in the conspiracy, was taken in Somersetshire, by Mr. How, who, finding him dressing his horse in a stable, broke in upon him, and seized him by the collar with one hand, holding a pistol at his head with the other, and then gave him to the care of Adkins, to be conveyed in irons to Mr. G. Rose, at Mudeford.

At the Assizes for the county of Sussex, held at Lewes, the 4th day of August, 1812, before the Lord Chief Justice

orough, John Hughes, inn-keeper, and post-master,
e, James Robinson, a miller, near Oswestry, William
r, and William Turner, fishermen, of Rye aforesaid,
indicted for a conspiracy to aid the escape of Arnaud
pon and Philip Auguste Garnier, French prisoners of
rom Oswestry, in Shropshire.

Serjeant Best opened the case.

Toosley proved that General Phillipon was a prisoner
westry, and that the last time he saw him was about
a o'clock on the 30th day of June. Garnier had also
a prisoner about three years. Phillipon was a tall
about six feet, thin, with a scar over his eye, and
y wore a grey coat, with a blue great coat. Garnier
bout five feet six inches, thin and pale, and wore a
oat, with a brown great coat. The defendant, Robin-
ad lately taken a mill within three miles of Oswestry;
d not carried on much business as a miller. On the
f June he sent his servant to Shrewsbury, to get a
ing machine, and directed him to wait his coming.
gth, in the evening, Robinson came, in a gig, and had
ey tied to the shafts; he told the man to go forward
ygate, with him, and the man rode the pony until
vertook a gentleman on the road, a small man in a
oat and brown great coat. They went to Heygate,
is on the Birmingham road, and there Mr. Robinson
ke a chaise, and himself with two gentlemen got into
, went away for Birmingham. The post-boys then
Robinson and the two gentlemen to the Shakspeare
n, at Birmingham, where they breakfasted the next
ng. The next morning a travelling chariot, with a
box, took them from the Shakspeare.

ppeared that Robinson had passed through Birming-
bout ten days before, and had bespoke this carriage
r. Wheeley's, a coach-maker, at Birmingham; and
greed at the same time with a post-chaise driver, of
me of Yoxall, to go with him as a servant, for which
s to give him a pound a day, and a new hat and coat,
ld him to be ready to set off on the first day of July.
dingly Yoxall came with the carriage to the Shak-

speare. He then travelled with them as a servant, and hired the horses, &c. on the road. He did not know the two gentlemen who accompanied Robinson, and he never heard them speak. At length they arrived at Rye, and were put down at a public-house, kept by the defendant Hughes.

While they were at Birmingham, Robinson received a letter in the hand-writing of Hughes, but signed by Jones, stating, that all was well and ready. Robinson, and the two persons with him, continued at Rye some days. In the mean time the escape of General Philipon was made public, and a sharp look-out was kept along the coast for any boat going out or coming in from sea; at length, on the 12th of July, an open boat was seen rowing into Rye early in the morning, which had Robinson, Hatter, and Turner aboard. Robinson got ashore before the officers could overtake him, and upon their questioning the two other defendants as to who he was, they said he resided in that neighbourhood.

He was traced to the house of Hughes; and, when the officers entered the house, his boots were wet with sea water. He said, upon being questioned, it was so, and that he had been out all night at sea mackarel fishing. Upon this statement, himself, Hughes, and the two other men, were taken into immediate custody; but there was no direct evidence as to the identity of the persons of Philipon and his companion; but all the witnesses gave a description of their persons answering to the description given of them by Mr. Toolsey, the Agent at Oswestry.—Upon this evidence the jury found them—Guilty.

Sentenced to imprisonment, and the pillory.*

On Saturday, the 29th of August following, Hughes and Robinson were brought out of prison, where they had been confined since their conviction, and placed in and upon the pillory on the sea shore of the town of Rye, opposite the French coast, where they remained one hour, amid the scoffs and execration of every true English spectator.

* In the year 1809, William Hubbenfield, was sentenced to two years imprisonment in the King's Bench Prison, for aiding the escape of the French General Austin, a prisoner in England, on his parole of honour.

Hughes, on ascending the platform, exclaimed, "Now, Robinson, we shall have a peep at Boney's Tower;" (meaning Bologne, where they landed the General) and, indeed, the whole of his conduct, while undergoing the humiliating but just punishment of the law, was such as to prove a man hardened in vice. They were afterwards remanded to prison, where they were to be confined for the space of two years; a lenient punishment for an offence which the judges have frequently pronounced to be little short of high treason, and which, by a recent act of Parliament, is made felony.

It is thereby enacted, "That any person who shall, from and after passing the act, knowingly aid or assist any foreign enemy of his Majesty's dominions, whether such prisoners shall be confined as prisoners of war in any place of confinement, or shall be suffered to be at large on his or their parole, to escape from such place of confinement, or from his Majesty's dominions, if at large upon parole, shall upon being convicted thereof, be adjudged guilty of felony, and liable to be transported for life."

From the passing of this act, we hoped that our degenerate countrymen, would have been deterred from such unreasonable and sordid practices; but, in the very face of it, and as soon after its becoming the law of the land, as the 9th of December following, we find, at the town of Shrewsbury, the apprehension of the French General Le Brun, and his aid-de-camp, who had been ordered to Welsh Pool on their parole of honour, and were making their escape, assisted by the son of a well-known Kentish smuggler, and others. All the parties were secured, and lodged in Shrewsbury gaol. Between the scoundrels who conduct, and the scoundrels who are conducted out of this kingdom, we have not much more to say; they are well suited to each other. The fate of the Frenchmen is attended with more danger than they are aware of, and it is fortunate for them to be taken before they quit the kingdom; for, as the wretches who guide them are guilty of a felonious offence, there is no question, that in case they should be pursued at sea by an English cruiser, they would, to avoid detection, throw their

unhappy passengers overboard; and many, we have no doubt, have perished this way.

The dishonourable flights of French officers from the English towns, where Government, upon the pledge of their honours, to remain therein until exchanged, had permitted them to reside; and the daring outrageous conduct of their inferiors under confinement at the different depots, amounting to between twenty and thirty thousand, calls for strict measures being enforced towards them. In that at Dartmoor near Plymouth, on the 16th of September, 1812, the prisoners had worked themselves up to the highest pitch of rage at being allowed no more than one pound of bread per day. The use of biscuit, it is to be observed, was to be discontinued as soon as the bakehouses had been rebuilt; but the Frenchmen were absolutely deaf to remonstrance. A detachment of the Cheshire Militia, and the South Gloucester Regiment, were drawn up on the wall surrounding the prison; and, although they had loaded their pieces with ball, the prisoners appeared undaunted, and insulted them in the grossest terms: indeed our brave men withstood the contumelious language of the prisoners with patience beyond all praise. A sentinel on duty, called Jones, had his bayonet wrenched off his piece, yet nobly reserved his fire: an officer, however, followed the Frenchman, struck him over the shoulder with his sword, and brought off the bayonet. The Frenchmen even bared their breasts to the troops, and seemed regardless of danger. The number of prisoners was about 7500; and so menacing was their conduct, that an express was sent off to Plymouth Dock, at eleven o'clock on Sunday night, soliciting immediate assistance. Three pieces of artillery (six pounders) were in consequence sent off, early on Monday morning; and on their arrival at the principal gate (iron), the bars of which of immense size, had been previously broken by stones hurled against them by the insurgents, they were placed in such directions as completely to command the whole of the circle which the prison describes. This had the desired effect, and order was restored.

At the Depot at Perth, an attempt by the prisoners in the

Depot to effect their escape was discovered and prevented. A mine, on which they had been employed three days, was excavated from within the privy of the prison, allotted to the Petty Officers, and had been pushed as far as the outer wall, on the inside of which the earth gave way, and occasioned a detection of the stratagem. The digging had been carried on through the day; and at night, when the privies were inspected, the stones which had been removed, were so neatly and regularly replaced as to prevent suspicion. The Petty Officers were confined in the upper story of the prison, through the floor of which they had cut a hole, by which they might pass to the lower. They had afterwards cut out the lock of the door which opens to the yard, and consequently to the entrance of their mine.

The French prisoners on board the Sampson at Chatham, about the same time, became very troublesome, on account of their being put to two-thirds allowance, to make up for the expence of repairing the damages done by their cutting the ship, to endeavour to effect their escape; boats hovered round and armed men sent from every ship; one of the marines of the Buckingham, seeing one of the prisoners in the act of stabbing the officer of marines, he immediately levelled his musket, and shot him; several other shots were fired, and before they could be quieted and got below, three were killed, and eight others wounded, two of whom are since dead, one of which was the principal ringleader. The other ships remained perfectly quiet.

There was such an irresistible spirit of gambling among these French prisoners, lately arrived at that port, from Mount Cenis, that many of them have been almost stripped naked, having lost their clothes, not excepting even their shirts and small-clothes, to some of their fellow-prisoners; many of them were also reduced to the chance of regaining by the same means, having lost seven or eight days provision to their more fortunate comrades, and who never failed to exact their winnings. The effervescence of mind that this diabolical pursuit gave rise to, was often exemplified in the conduct of these infatuated captives, rendering them remarkably turbulent and unruly. A

quarrel arose between two of them in the course of play, when one of them, who had lost his clothes and food, received a severe stab in the back with a large knife, from his companion, whose anger had been kindled in consequence of the invectives which a run of ill-luck had excited in his adversary.

Two French officers, prisoners of war on parole at Bishops Waltham, having had a dispute, they agreed to decide the affair in an honourable way. A meeting was appointed in a field near the town; but a difficulty appeared in procuring weapons.—It appears that the combatants were only in possession of one sword, and a case-knife. French ingenuity made a pike of the knife, by confining it to the end of a stick: but the sword being considered the best weapon, they resolved to cast lots who should have it. After the sword and knife had been fairly placed in their hands, the duel commenced, and the swordsman gave his antagonist three wounds. The pikeman gave several dangerous thrusts, and both fell on the ground, they remained bleeding and disabled, until they were discovered by several passengers, who conveyed them to a public-house in the vicinity. The officer who received the cut from the sabre was not expected to recover. His antagonist is fortunately out of danger.

EDITH MORREY, AND JOHN LOMAS,

Convicted of the cruel murder of the Husband of the woman; with their accusations of each other, and confession after receiving sentence of Death; and the particulars of their respective executions.

THE trial of these most cruel murderers came on at Chester, before Robert Dallas, and Francis Burton, Esqrs. Judges of that circuit, on the 21st of July, 1813, and which so much excited public curiosity, that it was computed

upwards of four thousand persons were present on the occasion—a greater number than, perhaps, ever gained admission at one time into that Court-house on the trial of criminals.

After an investigation into the shocking circumstances attending their case, of seven hours, both were found guilty, and the judge instantly ordered them to be executed on the Monday following. Lomas, on receiving sentence of death in mental agony stretched out his hands, and exclaimed, "I deserve it all—I don't wish to live; but I am innocent." During the trial he appeared composed and attentive to the dreadful narrative against him delivered by the different witnesses. His more miserable companion in crime pleaded pregnancy: and a jury of matrons having been impannelled to enquire into the truth of such plea returned a true bill. Thus, for a while, she did evade the just punishment which awaited her. A murdered husband torn by her bereft of life—an infant, offspring of that husband struggling to be born—dreadful must be the mind of the mortal oppressed with such conviction. We hope she has, by sincere repentance during her travail, found that mercy in the world to come which she has shut out from herself upon earth.

The following evidence was given against these miserable people on the trial.

Hannah Evans said she had lived servant with the deceased in the month of April last; Edith Morrey was the wife to the deceased; Lomas was also his servant; the deceased had five children, three of whom slept in the same room with her; she went through the room of the deceased to her own, which was on the ground floor; Lomas slept in a room over the kitchen, and the other two children with him. On the night of the 11th of April, she remembered her master coming home; she went to bed about twelve o'clock, and saw her master and mistress go into their room; about two, she was awoke, heard a great noise and two or three blows struck, which appeared to be in her master's room; she afterwards heard more blows and two groans, when she got out of bed. The prisoner (her mistress) came

into her room, put out the candle, and told her she must not make a noise, for there were murderers in the house. They then went into the kitchen where she lighted a candle, and went, by her mistress's desire, to call Lomas; he appeared to be fast asleep; she called him twice, and said he must get up as there were murderers in the house; he told her to leave the candle, and he would follow her down. Witness and Lomas then went to call one Betty Spode, who lived a short distance from the house; the prisoner Lomas said it was very dangerous going out, and appeared to be much frightened. When morning came, she examined the floor, and found thereon many spots of blood; she likewise observed blood upon the stairs leading from her master's room to that of Lomas.

On her cross-examination, she said that she had been in bed about an hour before she heard the noise. Her mistress ordered her and Lomas to go and alarm the neighbourhood; she never observed any unkindness between her master and mistress; nor ever saw her mistress behave to Lomas otherwise than as to a servant. Her master and mistress were laughing just before they went to bed.

Thomas Timmis said, he was called up, and went to the house of the deceased at about half past two. He stood a few minutes in the room where Mrs. Morrey (the prisoner) was sitting on a chair, holding her apron to her head. He then went into the room where the deceased lay dead on the floor, with his face downwards, and his left hand under his head. An ax lying by him, and the floor covered with blood; his throat cut from ear to ear.

John Moore stated, that he went to the deceased's house, and on his way there, Lomas told him he thought his master was killed; he found Mrs. Morrey and her children sitting round the fire. He asked for a lighted candle, and went into the room, where he found the body as stated by the last witness. He asked Mrs. Morrey if she suspected any body? She answered, No. He then examined the door, and found that it was fastened with a nail over the latch. Mrs. Morrey said, she supposed somebody had followed him from Norwich, from whence he had just returned.

Thomas Hall, another witness, perceived blood on Lomas's smock frock; and, on examining the house, found blood on the floor, which he traced into the back kitchen, and up stairs into the room where Lomas slept. He then secured Lomas, and Mr. Groom asked him for the key of his box. He replied, "No constable had a right to look into my box." When witness went up stairs again, he said, Mrs. Morrey, take some kind of linen and throw it on the floor. Her back was towards him. Mr. Groom picked up a shirt of some body's in Lomas's room, where she had thrown it. He asked Lomas, if that was his shirt; he said it was; it was stained with blood about the wrists. He saw Lomas strip, he had a clean shirt on, and Mr. Groom turned his coat inside out; in the insjde there appeared much blood. Lomas said it was his shirt—he had worn it all last week. The bureau in the parlour was then opened; but it did appear to have been broken open. There were two small spots of blood on the sheets; there was a box by Lomas's bed side; he took out a waistcoat all bloody, and asked Lomas if it belonged to him. He said it was, and asked if they knew where it had been found.

John Groom said he was called up on the morning of the murder, and went to the house of the deceased. He searched the different lodging houses in the neighbourhood to seek for suspicious persons, but found none: he, then returned, and examined the parlour door, but no violence appeared. He looked at the desk—was not present when the contents were taken out—the lock was loose, and two screws were gone—the bolt of the lock was shut—found a chisel amid some papers as if placed regularly. Witness asked which way the thieves came in—She said at the front door. He enquired whether she saw any one. She answered, No, but that she heard a noise, and thought it was in the children's room; on which she went in among them. As he left the house, saw Lomas in the yard, observed a small spot of blood on his nose, and another on the waistband of his breeches; asked Lomas where his dirty shirt was. He said he had it on: witness told him it *was impossible, for that* which he had on was clean: he

declared that it was the same he had worn all the week. He then corroborated the evidence of the former witness. Upon finding the blood upon Lomas's shirt, witness ordered Dooley, a constable, to sieze him. He marked the shirt, waistcoat, and sheets, and gave them to William Hall, another constable, and could swear to them if produced in Court.

William Dooley deposed, that he took Lomas into custody, questioned him about the bloody shirt. He said he had worn it the week before, when he bled the colt and the mare. Witness told him, he had, by that assertion, convicted himself—he said, "I have." Witness saw him searched, when a razor sheath was found in his pocket. The razor was found in a pit, where the prisoner told witness he had thrown it; there was a little blood on the handle, and two or three hairs on the heel of it.

James Morrey said, he was brother to the deceased, was called up about two o'clock in the morning; Lomas was one who came to call him, who said that his master was murdered, and that one hundred and fifty pounds was stolen out of the desk in bills. When witness came to the house, he found Mrs. Morrey sitting by the fire side, who told him she thought that robbers had followed him home, and murdered him. Lomas went and put a nail in the door, and shook it out again, to shew him how they had got in. Mrs. Morrey told the witness she thought he had been bragging about his money, and that they had followed him home, and murdered him; witness next day examined the desk, and found two shillings, a check upon Nantwich Bank for one hundred and twenty pounds, and his watch.

John Bellis, Junr. Surgeon, saw the deceased; and, examining his head, found several fractures, which he described; though the blows had been given by a heavy instrument, as an ax, the wound in the throat he believed to be sufficient to have caused his death. On the Sunday following he was called upon to attend Mrs. Morrey; he found her lying on the floor, with a large wound in her neck, produced by some sharp instrument: he sewed it up and dressed it. She told him that on Monday Lomas had

said he was up three times the night before to murder her husband.

William Hall, constable of Hankelow, was on Sunday morning at the house of the deceased, saw Mrs. Morrey sitting by the fire. He told her that he was come to take her into custody; he sat two or three yards from her; in about three minutes she dropped from her seat, and her throat had been cut by a razor which laid by her side.

Elizabeth Brereton stated, that a gentleman had been there to inquire how many shirts Lomas wore each week; she inquired of Mr. Morrey while they were taking Lomas into custody; when she replied, that she would swear, that he was no more guilty than her, and that he was asleep in his bed when the murder was committed.

The judge, in a most impressive manner, addressed the jury; who, without retiring, gave a verdict of, "Guilty against both the prisoners." He then passed upon them the awful sentence of the law. The counsel for the woman then made a plea of pregnancy, whereupon a jury of matrons was selected out of the females in Court; who returned for answer, that to the best of their opinion she was from three to five months pregnant. Lomas was ordered for execution on the Monday following, and the sentence respecting the woman respited until after the time of her delivery.

This trial occupied the Court from eight in the morning until two in the afternoon. The hall was crowded to suffocation, and the heat was extreme. Edith Morrey, the female prisoner, when first brought to the bar, had a veil over her face, but it was ordered to be taken off. She covered her face the whole of the trial with her handkerchief, and most of the time reclined her head on the front of the bar. Throughout the whole of the awful proceedings she preserved a sullen unmoved hardness. On her examination by the jury of matrons, she is said to have shed tears. She did not, from the time of her imprisonment, appear to have entertained apprehensions of being convicted, constantly protesting her innocence. The week before the trial she purchased some articles of wearing apparel, and

spoke confidently on going home as on the Saturday. On the other hand, the man, Lomas, from the first of his being taken into custody to the time of his trial, openly and unreservedly confessed the crime in all its horrid circumstances.

The following conversation took place between John Lomas and Edith Morrey, on Sunday, the day before the Execution of Lomas. John Lomas having expressed a desire, to Mr. Hudson, to see Edith Morrey before he died, Mr. Hudson allowed them in his presence an interview about five o'clock in the afternoon. Lomas was called into Mr. Hudson's office a few minutes before Mrs. Morrey, and told that the wretched woman had confessed her guilt, to which Lomas replied, "It is better that she has confessed;" and Mr. Hudson observing that it was his wish, as he had spoken to Mr. Fish, the chaplain, upon the propriety of it, to let them receive the sacrament together, it appeared to give a degree of satisfaction to Lomas, who said, "I had rather she did receive the sacrament with me."

Mrs. Morrey was then brought into the office; and, seeing Lomas, exclaimed, "Oh dear!" sat down, and remained in silent affliction for some time, with her face covered—Lomas, who was seated at some distance, endeavoured to comfort and soothe her, telling her to bear up, and to pray for mercy and forgiveness; their sins, he said, were very great, but God was good, and he hoped he would forgive them—he had repented, and he trusted through grace to find mercy. He said, "I must go now; you will have to stay a little longer; all our time is short, and if we repent of our sins we may meet in heaven." He then asked his mistress whether she had ever said to any one, that he (Lomas) had got up to murder his master, at twelve, one, and half past one, the night before the murder, which she denied—saying, "It is not true; they have made that amongst them." She complained of a woman, whom she alluded to, as concerned in the fabrication of such reports, as one that was never sober—Lomas then prayed to God to forgive them, and to forgive him, for he had done a very wicked act, and he deserved to die for it. He could not wish to live. "If they had not found me guilty, they

steward got into bed, and pretended to be asleep. The scoundrel put under a bag in his room; but in the morning he took it, and, when he went to water the mare, he threw into the pit near the house, and he saw it again, he said, a thing, it being found there when the water was let [illegible]

Mrs. Morney was then solemnly questioned by Mr. Hudson, about the truth of Lomas's declarations, and [illegible] it was not nearly the truth.—and she said, "It is nearly the truth."—She said she was sixteen weeks gone [illegible] child, and entered into a calculation from the time of [illegible] coming in prison.—Lomas asked her about the time of [illegible] miscarriage, and she gave him the exact time, stating, [illegible] it was the day she prepared to go to Knighton, an [illegible] union, which he seemed to understand.—Mr. Hudson [illegible] her how long she had been in bed with her husband [illegible] she got up to perpetrate the murder, but she could [illegible] particularly state. He questioned her as to whether her [illegible] was sober, and she said he was sober enough.

Mr. Hudson then addressed them in the language of admonition, and prepared them to a final separation. Lomas [illegible] "I forgive her; but it seems she does not forgive me." [illegible] she said, "I have forgiven every body, and every [illegible] that has been done against me." Lomas said his half-[illegible] father had abused her, (Mrs. Murray,) but he said nothing. [illegible] said, nothing can him up so much as to see his poor father, [illegible] grief he was in—it was a hard case, he said, for him [illegible] being [illegible] up to this end. "God help him, and God [illegible] my master's children, I hope they will take good ways." [illegible] then inquired as to what situations they were in, and [illegible] interested by his mistress. He said, his own mother was [illegible] very wicked woman. Then, addressing himself to his [illegible] mistress, he piously called upon her to make her peace with [illegible] and to read the Scriptures, and pray. "Till I came," [illegible] said, "to this place, I knew nothing of Scripture. I [illegible] have made to read the Bible, and to pray; and I am [illegible] near off. I like the New Testament; I have read it, and [illegible] know that Christ came down to die for us poor miserable [illegible] sinners. Mistress, I wish well to you; I will leave you a

good book of prayers, and hope you will read it." Mrs. Morrey said she freely forgave Lomas; and he said he forgave her—and finally said, Fare you well, mistress.

On Monday, according to his sentence, this unfortunate man was executed at the east front of the New City Gaol, Chester. He was conducted from the castle about noon; and, supported by the constables, walked to the boundary of the city, where he was received by the city Sheriffs, and placed in a cart. The unhappy youth fell upon his knees, in which posture he continued, passing along Castle-street, Bridge-street, and Water-gate-street, until he arrived at the New Gaol. In less than half an hour he appeared on the drop, in the view of a larger concourse of spectators than ever was witnessed in Chester on a similar occasion.

He was attended by the Rev. Mr. Fish, chaplain to the County Gaol, who, in the forenoon had administered to him the ordinance of the Sacrament. The culprit had expressed a desire rather to die than live; and indeed every part of his deportment evinced the sincerity of his contrition. He was dressed in a blue coat, light coloured waistcoat, and light corded breeches, and was very clean. He appeared particularly fervent in his devotions upon the scaffold; kneeling while the chaplain performed the solemn offices of prayer.

When the rope was placed around his neck, he addressed some words to the surrounding multitude, observing, that he had made his peace with God; and warned them to take example by his present awful situation. Just before the cap was drawn over his face, he saluted the executioner; and, when every necessary adjustment had taken place, he gave the signal by dropping his handkerchief. He struggled with death violently, being in youth, health, and strength; but in a few minutes yielded up the ghost.

On Saturday, the 7th of February following, the other, and we may add, the more atrocious actor in this scene of blood—the wretched Edith Morrey—who had been respited upon the proof of her plea of pregnancy, as we have already stated, having within the walls of her prison brought forth a child, and the time of her puerperium passed, she

brought to the same scaffold whereon her suborned servant, Lomas, had long since suffered. She was dressed in deep mourning—the semblance of widow's weeds,—and it is some alleviation to our feelings in contemplating her horrid crime, to find that she died a penitent.

When placed upon the fatal platform, she advanced a step or two in front, and thus addressed a multitude of spectators.

"My dear Christians, I hope you will take warning by my melancholy situation. My crime has been of a double nature. In the first place I have broken one of God's commandments, by committing adultery, and defiling the marriage bed; and in the next I have committed a most inhuman murder by imbruing my hands in the blood of an affectionate and indulgent husband."

Then, clasping her hands, she exclaimed, "Lord, unto thee I commit my spirit."

After dropping the signal she had named for that purpose, she was launched into eternity, and her body given to the surgeons for dissection.

To this sad account we have to add, that she has left five unfortunate children, including that born in prison; the reputed offspring of the husband whom she murdered!

DANIEL DAWSON,

Convicted at the Summer Assizes, 1812, and executed at Cambridge, for poisoning Race Horses at Newmarket.

THIS trial excited much interest in the sporting world. The prisoner was arraigned on four indictments, with numerous counts, viz. for poisoning a horse belonging to Mr. Adams, of Royston, Herts, and a blood mare belonging to Mr. *Nortney*, at Newmarket, in 1809; and also for

poisoning a horse belonging to Sir F. Standish, and another belonging to Lord Foley, in 1811, at the same place. He was tried and convicted on the first case only.

Serjeant Sellon opened the case, and detailed the nature of the evidence.

The principal witness, as on the former trial, was Cecil Bishop, an accomplice with the prisoner.* He proved having been for some time acquainted with Dawson; and, that on application to him, he had furnished him with corrosive sublimate to sicken horses, as a friend of his had been tricked by physicking his horse, which was about to run a match. He went on to prove, that Dawson and himself had become progressively acquainted; and, that on the prisoner complaining the stuff was not strong enough, he prepared him a solution of arsenic. Witness described this as not offensive in smell, the prisoner having informed him that the horses had thrown up their heads, and refused to partake of the water into which the corrosive sublimate had been infused. The prisoner again complained the stuff was not made strong enough; and, on being informed if it was made stronger it would kill the horses, he replied he did not mind that; the Newmarket frequenters were rogues, and if he, meaning witness, had a fortune to lose, they would plunder him of it. The prisoner afterwards informed witness he used the stuff, which was then strong enough, as it had killed a hackney and two blood mares. The other part of Bishop's testimony went to prove the case against the prisoner.

Mrs. Tillbrook, a respectable housekeeper at Newmarket, where the prisoner lodged, proved having found a bottle of liquid concealed under Dawson's bed, previous to the horses having been poisoned, and that Dawson was out late on the Saturday and Sunday evenings, previous to that event, which took place on the Monday. After Dawson

* Dawson had been tried for a similar crime at the preceding Lent Assizes, and was acquitted on the grounds that he had been indicted as a principal, instead of an accessary, which in point of law could not be maintained.

had left the house, she found the bottle, which she identified as having contained the said liquid, and which a chymist proved to have contained poison. Witness also proved that Dawson had cautioned her that he had poison in the house for some dogs, lest any one should have the curiosity to taste it. Other witnesses proved a chain of circumstances, which left no doubt of the prisoner's guilt.

Mr. King, for the prisoner, took a legal objection, that no criminal offence had been committed, and that the subject was a matter of trespass. He contended, that the indictment must fall; and, as it was necessary to prove that the prisoner had malice against the owner of the horse, to impoverish him, and not against the animal. He also contended that the object of the prisoner was to injure, and not to kill.—The objections, however, were over-ruled without reply, and the prisoner was convicted.

The Judge pronounced sentence of death on the prisoner, and informed him, in strong language, he could not expect mercy to be extended to him.

In the condemned cell, Dawson planned his escape, as will appear from the following copy of an intercepted letter to his wife:

DEAR WIFE,

I learn by yours I am in danger: by that I have another way to escape without fear of being discovered.—You go to a tool-shop, and get a small hack saw, as the watch-makers use, the smaller the better, to convey to me; the best way you can get it in will be between some turf, with some black thread; if you can find a better way, do it; but be careful, for all the danger is to get that to me, for I have but one bar to cut, and I am in town by four o'clock in the morning.—They will not miss me till eight, when they come to unlock us. I shall be by that time out of their reach. Dear Girl, bring me the turf six pieces at a time. When I have got the saw, I must have some friend come round to see the Castle, but take no notice of me but to see the situation; I am in full north; and come again in one

hour after we lock up; bring rope enough to reach over the wall, and be stand on the other side, and hold it till I am on the wall. Fasten a large spike to the end of the rope, and throw it over the wall, and tie the knots about nine inches asunder to hold by, and about twenty-five feet long. There is no danger in this, for there is nobody inside, after we come to bed. A rainy night will be best, but I will let you know the night by another line. Mr. Prince says he has got a very respectable man, who will come forward, and swear to every thing of the concern, all but seeing it put in. If any body can be found to write to Lord E. O. (alluding to a threat), it will have great effect. Mr. J. B. South-street, Grosvenor-square, Mr. B. King's Mews, Elbe (meaning Theobald's) Road, Gray's-inn-lane, have a good look out if there is any danger. I shall soon be along with you, with a little of your assistance; by applying to the people above-mentioned, you will get good intelligence. When you write, direct your letters to Mrs. Howell's sister. When you come ask me for my pocket-book, and I can give you all at once. I shall call them things breeches and coat, so you will know."

This letter was detected by Mr. Orridge, in the hand of Dawson's wife, when parting from him in a more affectionate manner than usual, which excited suspicion.

Dawson had been many years a *touter*, that is, a person who hides up between the furze on the heath to see the trials of horses, and reports to the *betters*, who have confidence in his judgment and honour. Though perfectly illiterate, he had a comprehensive mind, and was esteemed an excellent judge, so as readily to distinguish accurately the superior powers of one horse over another. Lord E. Osborne had been twice with Dawson after his condemnation at the convict's own request; but, having heard what he had to communicate, gave him no hope of mercy. Dawson had made some secret communications to Lord Foley, previous to his condemnation; and his Lordship was certainly much disposed to save his life. In speaking of the Newmarket frequenters, he represented the aggregate as persons equally

ted with himself for the calamitous situation in which he was then placed. He gave a list of persons connected with him in this poisoning system, which includes four rich, well-known, *noble-legged* characters, but whose names it would be imprudent to make known. Of his colleague Bishop he spoke with great bitterness to his last moment, and so freely of a certain distinguished *Turf Club*, as to declare, "that, in his opinion, there were not three fair upright *betters* amongst them!" Against Lord ——— he inveighed in the severest terms, declaring, "that if his Lordship had made a match with his Creator, he would *cheat* him if he could!" He mentioned to his legal adviser that Trist was totally ignorant of the transaction. He persisted to the last that he never intended to destroy the horses by poison, but only to incapacitate them from winning; and said, that about twenty horses were thus *physicked* at Newmarket within his knowledge, but that neither *Wizzard* nor *Climber* were so physicked. He had certainly a design of self-destruction, and avowed it, but was reasoned out of so desperate an act by his afflicted wife, and Mr. Pearce the chaplain.

This unfortunate man suffered the awful sentence of the law, at the top of Cambridge castle, amidst a surrounding assemblage of at least a thousand spectators, it being the market-day. Previous to Dawson's condemnation, and for a day or two after his conviction, he was unruly and boisterous in the extreme; but the unremitting and pious admonitions of the Chaplain transformed him to a convert, and instilled into his mind those religious precepts, which alone enabled him to meet his fate with a confidence of forgiveness in the next world. The culprit spent the last days in the fervency of prayer: and, on the scaffold, he behaved with a manly but religious fortitude, and expressed his fervent hope of enjoying a more happy state. Dawson made a full confession of his guilt, and he also made a declaration of his accomplices in the whole poisoning business. To the honour of the turf, however, not a single gentleman was involved in the confession. The parting between the prisoner and his wife, who is a very respectable woman, was very affecting, and which Dawson described as more to

him than death itself. At twelve o'clock the culprit was launched into eternity, after twenty minutes had been spent in prayer. The body was afterwards deposited in a coffin, for interment. He declared he never meant to kill, but to physic, the horses.

FREEMAN, METCALF, COATES, AND JOHN GRANGER, alias SAUCEMAN.

A desperate Banditti, who had long harassed the Northern Part of Lincolnshire.

THESE four notorious characters were all labourers; the youngest, Metcalf, had lived as a servant with Mr. Fox, of Hychell; and Granger, alias Sauceman, had been employed by a company of strolling players. Metcalf, when out of employment, had formed a connexion with the other three, and among many propositions for robberies made by the parties in council, he suggested an attack on the house of his old master, who, he said, according to his knowledge, always kept a considerable sum of money by him. This was acceded to; and, on the afternoon of the robbery, the four met on Hendall-hill, and disguised themselves in various ways, with bedgowns, bonnets, false beards, painted faces, &c. &c. They were also armed with a gun, and two pistols, all loaded, and a bayonet. Thus equipped for action, Granger swore all the party to be faithful to one another, and to kill, or be killed, if necessary, to the success of their common purposes. At dark, they proceeded to within a few yards of Mr. Fox's house, when three of the party began to relent of their desperate engagement, and wished to return without perpetrating the robbery. In this situation, Granger again acted as their captain, urged them to the crime, and, as an inducement, undertook himself to "do the business of those of Mr. Fox's family, who might make any resistance." On these terms the party proceeded, and

happily (although the most singular fortitude was displayed by Mrs. Fox, who seized the gun with which one of the villains was armed, and scuffled with him some time, in order to discharge it, and prevent him from hurting her husband) no blood was spilt; and the party having been conducted to the desk, from which they took the property, departed, with the most horrid threats of what they would do to the family, if a syllable of the robbery should ever be published by any member of it.

The prisoners all made a voluntary confession of their guilt on their commitment; and Granger, soon after his apprehension, offered to impeach his accomplices: unfortunately, for the ends of public justice, the testimony of Granger was found, by the complexion of the evidence at that time procured against the persons who robbed Mr. Fox, necessary to render certain the conviction of the other offenders: unfortunately, because, by the evidence adduced on the trial, it appeared that he was by many shades the worst of the four concerned, and was old in the practice of crimes.

The trial of these three malefactors (Freeman, Metcalf, and Coates), came on at Lincoln, during the summer assizes, 1807: they were indicted for breaking into the house of Richard Fox, of Ryehill, in the parish of Killingholme, and stealing a gold watch, twenty guineas in gold, and three bank-notes, value fifteen guineas. The facts having been proved in addition to the confession of the king's evidence, John Granger, they were found *Guilty*, and received sentence of death.

All these prisoners acknowledged they had been guilty of other similar offences. Coates confessed that he had committed, in company with Granger, four or five other robberies, particularly that of Mr. Munday, of Brigg, on his return from Barton market, for which offence two butchers of Brigg were some years ago apprehended; and, although acquitted of the charge, were ruined in character, and reduced from promising circumstances in life, to become objects of public suspicion and odium. The robberies confessed by the prisoners amount, it is said, to all that

have been perpetrated in the neighbourhood in which they lived, by persons undiscovered, for many years.

Mr. Baron Graham, on leaving Lincoln, after the assizes, 1807, reprieved all the prisoners on whom sentence of death had been passed, except these three malefactors, whom he left for execution, and who accordingly suffered the sentence of the law.

CHARLES FREDERICK PALM, AND SAMUEL TILLING,

Executed at Execution Dock, on the river Thames, near London, on the 21st of December, 1819, for mutiny and murder.

THE sanguinary men above named were indicted at the Sessions of the High Court of Admiralty at the Old Bailey, on Friday, the 13th of December, 1812, for having made an assault upon James Keith on the high seas, within the jurisdiction of the Admiralty of England, he, the said James Keith, being the master of a trading vessel, called, "The Adventurer;" and, with a certain instrument, called a cooper's hammer, killing, and feloniously murdering the said James Keith. There were other counts in the said indictment against the prisoners, charging them with the wilful murder of William Smith, the first mate of the said vessel, and two black men belonging thereto, called, the one Joe, and the other John.*

From the evidence adduced on the trial, it appeared, that the deceased, James Keith, was master and sole owner of

* The prisoner, Palm, being an alien, was asked in the usual manner, whether he would be tried by a Jury composed of half Englishmen, and the other half foreigners. He hesitated; but answered that he would rather trust himself to Englishmen, than have a single Swede on the Jury.

the vessel in question; and, that having embarked the whole of his property therein, to the extent of nearly two thousand pounds, he resolved to make a voyage to the south seas upon a fishing concern; and for that purpose engaged a crew, which, with himself and three boys, amounted altogether to fourteen persons. Palm was a Swede, an experienced seaman, by his commander appointed to the post of second mate.

The Adventurer sailed from Portsmouth in the month of November, 1811, and for a part of the time had a prosperous voyage; but one of the crew becoming sickly, and eventually dying, the Captain put into the Island of St. Thomas's, and took on board the two black men, Joe, and John, already mentioned. He then shaped his course towards Congar, upon the coast of Africa, intending thus to make his voyage to the south seas; but, whilst an hundred leagues off that place, the crew began to shew strong symptoms of mutiny; and, in April, the dreadful circumstance took place, which became the subject of these indictments.

About four o'clock in the morning, the witness could not recollect the day, a boy named George was at the helm; and, the weather being sultry, the scuttle was taken off, and the window of the sky light to the cabin open, he called to the captain, saying, there was something bad going on upon deck. The unfortunate Keith, who had already in vain attempted to conciliate his crew, instantly arose from his bed, and, without putting on his clothes, hurried to the deck of the ship. He there saw Palm, the second mate, in the act of striking a light.

The Captain said to him, "Charles, what are you about?" Palm made no answer, but struck him with the cooper's hammer, which he had ready in his hand. The Captain said, "Oh Charles you have done me!" in the mean time, another man, since dead, attacked the chief-mate, who had come on deck immediately after the Captain, and struck him repeatedly on the head, or any part he could, with the cook's axe, and Palm, and two other Swedes (both since dead) took the active part in throwing the Captain and

chief-mate overboard; the chief-mate called out, Boat, boat!" after he was in the water; but they heard no more either from him or the Captain.

After this all hands went below, except the boy at the helm. Palm produced a Bible, and they all took an oath upon it, wishing they might *never see the light of heaven, if they divulged what had passed.*

The boy left at the helm was afterwards sworn; and after the bodies of the Captain and chief-mate had been thrown overboard, the two Swedes provided themselves each with a pistol and a glass of rum; the rum they offered to the blacks; and, whilst in the act of drinking it, each shot his man; one of the unfortunate blacks was shot dead, the other was only wounded, but both were immediately thrown overboard by Palm and the two Swedes. The wounded man swam and caught hold of the rudder; but Palm took a spade, and threatened to cut his hands off upon which he let go, and they saw no more of him.

After this they plundered the Captain's property, and Palm had a five pound note out of it. Palm then took charge of the vessel; but it was afterwards determined to scuttle the ship, and take to the boats, and steer for the coast of Guinea.

Two boats were provided, and provisions put into them; the crew, amounting to eleven in number, got six into one boat, and five in the other; Palm and the deponent were in separate boats; they were three days and three nights before they reached land, and then one of the boats was swamped and a boy was drowned; they then walked along the beach till night, when they lay down on the sand to sleep, and next day went into the country, till they saw some smoke arising among the trees; they went on to it. The moment, however, they were discovered, the black natives rushed upon them, and, with remorseless fury, seized them, plundered, stripped them naked, and led them off through the country to be sold as white slaves.

In this deplorable state they remained several weeks traversing a vast extent of country, during which all of them died through disease, cruelty of the negroes, or

fatigue, except Palm, Tilling, William Wright not yet apprehended, and Henry Madis the witness. The survivors were marched, or rather driven, to Cape Lopez, a southern promontory of Africa, where the black chief released them, supposing they were shipwrecked mariners, and, after a short time a Portuguese vessel touching there, Palm and Wright took their voyage to Europe in her, and in a few days, a Liverpool ship also touching there, Tilling and Madis got a passage in her, and they were landed at Liverpool in September.

Tilling, appearing an object of charity, was admitted a patient in the hospital; and Mr. Capper, the first mate of the ship which brought them back to their native country, humanely took the boy, Madis, to his own home. In about a week after their arrival, when Madis went to see Tilling at the hospital, he was greatly surprised to see Palm at the same place, having, on the morning of that same day, been taken in as a patient from the ship that brought him over.

The day on which young Madis sailed in Liverpool, he wrote the outlines of the above sad story to his mother in London; and urged her to send him money to defray travelling charges, that he might lay the whole before a London Magistrate.

Such was the evidence against the prisoners. The impulse which appeared principally to occupy the mind of Palm, was that of criminating his fellow prisoner, who he laboured to make appear to have acted an equal part in the bloody scene with himself; which by no means came out in evidence: on the contrary the work of death seemed to have been done by Palm and his brother Swedes, of which country the greater part of the crew were composed.

Witnesses were called to the character of Tilling, among whom was his sister; who all spoke highly of his former conduct in life. This might have had some weight in his behalf; indeed nothing vindictive was proved against him, and those charitably inclined believed that he took the forced oath, and appeared, after the murderous deeds were done, as indeed any one would, to retain the blessing of life;—but Tilling did not, like the virtuous boy, Madis, who

gave information of the horrid transaction, on his return to his native country, see the result? Madis was taken under the protection of the Lords of the Admiralty, for his discovery;—Tilling, for concealment, was suspended to the gallows. Both had taken the compulsatory oath—and, perhaps, both at the moment mentally spurned at the indignity. Mark also, kind reader, how a great and just God pursues the murderer until he falls into the hands of justice among his fellow men.

These wretched outcasts were not permitted even to land their ill-acquired booty—their boats were swamped, the cargoes floated upon the waves—one of them was drowned—and the remainder scrambled upon a shore inhabited by savage men; who stripped them to a state of nature, loaded them with stripes, and drove them in a sultry clime, through burning sands, over rocky mountains, across rapid streams, and on wretched diet, in search of a slave market. Under such accumulated sufferings few Europeans could survive. Yet, the principal agent in the bloody business, with two more, as if intended to witness against him before the earthly tribunal to which he was amenable, were suffered to return to the seat of justice.

Palm appeared to be about fifty years of age; but the hardships he had undergone among the negroes in Africa might have had a premature effect upon his appearance. Tilling bore the marks of youth, not more than twenty-five years. They were placed in the cart which led them to Execution Dock, without betraying those emotions natural to men in their unfortunate situation. Palm, soon as seated, put a quid of tobacco into his mouth, and offered another to his wretched companion, who refused it with indignation.

A temporary stage and gallows were erected at this place of execution, of pirates, and a vast concourse of people were collected to witness their expiation of the horrid crime of which they were convicted. Some indications of pity were offered for the fate of Tilling; Palm, execrations alone. After hanging the usual time, their bodies were cut down, and sent to the Surgeons for dissection.

PATRICK PRENDERGAST,

Executed for breaking open and robbing the house of Mr. George Bell, of Brent-bridge, on the Edgeware road, Middlesex.

THIS notorious offender, a native of Ireland, aged fifty-six, whose audacity could only be equalled by his ingratitude, was, together with his daughter Catherine Prendergast and James Hayes, indicted for the above-mentioned burglary, and tried at the Old Bailey, January 16, 1807, before Mr. Justice Chambre.

The first witness was Mr. George Bell, a venerable old man, seemingly near ninety, tottering under the weight of years, and scarcely possessing strength enough to deliver his evidence. The court commiserating his languid state, ordered him some brandy and water, and a chair to sit on. He said, that he had lived at Brent-bridge twenty-eight years; that Catherine Prendergast, one of the prisoners, and daughter to Patrick, another of them, was his housekeeper and general servant; and that Patrick, her father, was well known to him, as he worked for some time with a Mr. Frankland, one of his neighbours, and called at the witness's house every other day to see his daughter, when the witness always ordered him some victuals, and a pint of beer. About one in the morning, on the 19th of September, he heard a rapping or shaking at his bed-chamber window, which is up one pair of stairs, in the front of the house. He got out of bed, went to the window, saw a ladder raised against it, and a man, whom he knew to be the prisoner Prendergast, ascending the ladder, and then about half-way up, with a lighted torch in his hand. He seized a sword that was in his room, for his defence: the prisoner endeavoured to raise the window, but he kept down the sash with his left-hand: he could have put the prisoner to death, but he thought that as his hands had hitherto been free from blood, he would not shed blood now. The prisoner, unable to raise the sash, began to smash the glass with his

hand; and, unable to burst the frame that way, he came to the top of the ladder, supported by some others of a number of men whom the witness saw in the court behind him, and getting his feet even with the sash, kicked it in, came after it, and by striking the witness accidentally with his feet on the legs, threw him on his back. He was immediately followed into the room by three others. Prendergast bade him return into bed, and nobody would hurt him; but said they must have his treasure, to bear travelling charges. They surrounded him in bed; and he knew well the prisoners' faces. They then said he must come down stairs, and shew them where his treasure lay. Prendergast raised him from the bed by both hands. He called out to his servant Kitty for a light; she was so long coming, they were impatient; it was at length brought, and they took him down stairs. On his way to the parlour, past the street door, the prisoners made him unlock it, and several other men rushed in. They were shewn the bureau where his treasure was: they broke it open with a pitchfork, and took away three pocket-books, containing six guineas in gold, some bank-notes, and two notes of hand, the one for 40*l.* and the other for 26*l.* They took also a silver coffee-pot, twelve tea spoons, with some castors. There was Mrs. Lewis, who slept in the back-room adjoining his, who, on hearing the robbers, threw up the sash, which opened towards the Edgeware-road, and cried out murder and thieves. They threatened to blow her brains out, if she did not keep silent. He was positive as to Prendergast, as his face was not disguised. One of the men had a black face: his features were very much like Prendergast's son, but the witness would not swear to him. The reason witness did not charge Patrick next morning with the robbery was, that he thought no one would believe any charge of so much ingratitude, and he waited in hopes of stronger proofs. The prisoner called at his house in two days after, and received his usual pint of beer and cold meat; and the daughter lived with him until after her father was taken up. There was, besides Mrs. Lewis, also a Mrs. Aikenhead in the house, lodging for her health.

In addition to this testimony it further appeared, from the evidence of Mrs. Aikenhead, that her watch was taken from under her pillow, when she fled up to the maid's garret, to avoid being murdered.

Christopher Jones, one of the Bow-street patrole, proved his having taken Prendergast on the 17th of December, at two in the morning, in Hart-street, Bloomsbury, with a silver coffee-pot under his arm, which appeared to be that of which Mr. Bell was robbed; and said that he confessed the robbery as he walked on towards the House of Correction.

Michael Lee corroborated this testimony; and that no offer or allurement was held out to induce him to confess. The lid had been taken off by Prendergast, and offered to a pawn-broker for sale, but he stopped it until a proper voucher should be brought him.

The other prisoner, Hayes, was apprehended as a soldier in the Isle of Wight, on the 4th of January last, by Baker, a police-officer.

Elizabeth Purcell, a widow, who lived in Bainbridge-street, St. Giles's, said Hayes had lodged with her half a year, and came on the 18th of November, at eleven at night, to her late husband, said he was going to sea, could not pay the money he owed him, that he was suspected of a robbery, that he would trust his life in his hands, that he knew who the robbers were, that the booty and the person who had it were in the neighbourhood; and he wrote down in a book the names of John Gorman, Patrick Prendergast, and James Hayes (the prisoner), who lived at Foxgate with Mr. Frankland, and John Connor. There was another person with the prisoner, Hayes, but as she was in bed, she did not see him.

James Sullivan, a dyer, said he was that person, and heard Hayes give in the names, which were written by Purcell; but Hayes said at the time he was innocent.

This was the principal evidence. There was not the slightest proof of guilt, or even any colour of it, against Catherine Prendergast.

The other prisoners, being called on for their defence, both at first denied the facts. Prendergast, however, at last, said he would tell the truth. He asserted his own innocence as to the robbery, observing that, if he and his daughter had any mind to rob Mr. Bell, they might have done it any hour of the day or night, without gathering such a mob of vagabonds round him to share the booty. He owned, however, that the day before the robbery, he heard those men, one of whom was the prisoner, Hayes, talking about the robbery in the fields when they were making hay, and they invited him to go with them; but he swore he would lose his life first. Next morning, at one o'clock, they came to the loft where he slept, insisted on his getting up to drink some gin with them. He did so, they drank a bottle, and then told him if he did not come with them they would cut his throat. He went for fear, but never went farther than the gate. He never went in at the window, nor into the house. Somebody in the house cried out, *murder!* and gave alarm to some waggoners passing, and they all ran away, and he followed them. He found the coffee-pot in a hedge upon the Edgeware road, six weeks before he was taken, and, being no *scholard*, was bringing it to Martin Heard to sell, who said he would buy it, when he was taken with it under his arm. He was sure that villain Conner, now in the House of Correction, had Mr. Akenhead's watch.

Hayes persisted in denying the facts.

The learned judge summed up the evidence for the jury, who acquitted Catherine Prendergast and James Hayes, but found Patrick Prendergast—Guilty.

Such was the magnitude of this offender's case, that when the Recorder made his report to the King of the convicts, who were under sentence of death (fifteen in number), Prendergast was the only one who was ordered for execution, Wednesday, March 25, 1807.

The execution was delayed above half an hour, until it was ascertained that an application made for a reprieve had not succeeded. Owing, no doubt, to the melancholy ac-

nt that occurred when Holloway and Haggerty were
uted, the spectators on the present occasion were few
mber.

JOHN DAVISON.

In the Quarter Sessions held at the city of Oxford, on
day, the 18th January, 1813, says an Oxford reporter,
Davison, of gentlemanly appearance and manners,
tried and convicted before the Recorder, for having in
custody one 10l. two 5l. and two 1l. forged Bank of
and notes, without being able to assign or prove any
l cause or excuse. The prisoner was charged with
ffence at Birmingham but escaped
was pursued to Oxford, where they traced him to the
Inn, and took him into custody; and on searching
they found the shore forged Bank notes wrapped up
brown paper parcel, with two blank forged Leicester
notes for 1l. each, not filled up or signed; and also
al counterfeit three shilling tokens.
e charges being satisfactorily proved, the Court sen-
d him to be transported for the space of fourteen

e prisoner proved to be Captain Davison, who was
cted in the year 1810, of stealing a quantity of muslin
unton, Somersetshire, and who was sentenced to be
ported for seven years; but he had obtained a pardon
ondition of transporting himself for the remainder of

THE MOST NOBLE

THE MARQUIS OF SLIGO.

Convicted of enticing British Seamen to desert; fined 5000*l.* and imprisoned four months in Newgate.

(From the Law Reporter.)

OLD BAILEY, Dec. 16, 1831.

AT nine o'clock Sir William Scott attended, and charged the Grand Jury. The Court then adjourned till ten o'clock, at which hour Sir William Scott returned accompanied by Lord Ellenborough, Mr. Baron Thompson, and several Doctors of Law. The Duke of Clarence was on the Bench. The Jury were then sworn to try the Marquis of Sligo, who appeared in Court, and sat by his Counsel, Messrs. Dauncey, Dampier, and Scarlett.

Before the trial began, Mr. Dauncey stated, that his Lordship wished to plead guilty as to part, and not guilty as to the rest; and wished, therefore, only one part now to be entered into.

Dr. Robinson, on the other side, was not unwilling to accede to this arrangement; but Lord Ellenborough said, that the indictment must not be garbled. He must plead guilty to the whole, or not guilty to the whole.

After some conversation between the counsel, the trial proceeded; the indictment was read, charging the Marquis with unlawfully receiving on board his ship William Elden, a seaman in the King's service, and detaining, concealing, and secreting him.

The second count charged him with enticing and persuading to desert the said seaman.

The third count, with receiving the said Elden knowing him to have deserted.

There were other counts with respect to other seamen, and a count for an assault and false imprisonment.

Doctor Robinson (the Advocate-general) stated the case—which will appear best from the evidence.

Captain Sprainger (examined by the Attorney-General) stated, that in April, 1810, the Marquis was introduced to him by letter from Admiral Martin: his Lordship appeared desirous of making a tour, and for that purpose hired a vessel called the Pylades; the witness gave him all the assistance in his power, by sending to him riggers, and carpenters, and gunners, who were lent to him for the purpose of outfitting his vessel, but still remained part of his (Captain Sprainger's) crew. In the course of these transactions, his Lordship passed and re-passed in a boat called the Gig, which was rowed by four men, Charles Lee, Robert Lloyd, James Foljambe, and John Walker: they had belonged to the boat for three years, and were constantly in it. The defendant observed that they were fine clever-looking men. Afterwards, about a week before he sailed, he missed two of these men, which the more surprised him, as they were very trusty seamen, had never been absent or irregular, and, though frequently suffered to go on shore without a midshipman, had never in any instance abused this confidence. They had, besides, wages of three years due to them.—On the 13th, before he sailed, he went on board the Pylades, to see Lord Sligo, and told him of the extraordinary circumstance of his missing these two men, whom his Lordship probably recollected. He was then going to communicate to his Lordship some suspicions which his officers had suggested to him, when Lord Sligo interrupted him, saying, "Surely he (Captain Sprainger) could not think him so base as to take away these men after the civilities by him shewn to his Lordship." He further said, that some of the men whom Captain S. had lent to him had offered to desert, but that he refused to accept them. He then replied to Lord Sligo, that he trusted he had not his men, and that he would not take them or any others from his Majesty's service; but lest they should come to him, he (Captain S.) would leave a description of their persons, and take his Lordship's word of honour that he would not receive them, but give them up to the

Commanding officer be Metcal, who had orders to keep them till his return. He then left his Lordship, having received his promise and word of honour, and having remarked to his Lordship how curious a thing it was to entice his Majesty's seamen. The fleet was at that time nearly 2,000 below its complement, and it was very difficult to procure British seamen. He did not muster his Lordship's crew: they seemed to be foreigners, in number about twenty or thirty. His Lordship had proposed to take 30 men, as his vessel was to be a letter of marque: a few would have been sufficient for the purposes of navigation. As soon as he reached the ship, he ordered the description of the two men to be made out, and it was sent to Lord Sligo; he received no answer then, though he afterwards had a letter from his Lordship. (The letter was produced.) He had never seen Lee or Lloyd since. (The letter was here read, in which Lord Sligo stated, that in the course of his voyage, he found that he had on board some men-of-war's men, and that he was determined to send them on shore the first opportunity, whatever expences he might incur on their account, he should put down to the score of humanity, and glory in it. That he thought this explanation necessary to Captain Sprainger, who had treated him like a gentleman; but the other Captain, whom complained of, he should not notice, if the business was brought into Court, he should do the best to defend himself; and if he did not succeed, he had an ample fortune, and could pay the fine.) This letter was dated Constantinople.

William Elder, a seaman, who was in the navy nearly thirteen years, and on the ride mentioned was on board the Monmouth, of Mitylene, had obtained on leave to go a shore there on the 12th of that month in the morning, he and another seaman belonging to the Montague, both of them in all were about going back to their ship, when they were accosted by two men in livery, and another who was dressed in a white jacket. The two in livery were servants of the Marquis of Sligo, and the other was the second mate of his Lordship's vessel. They gave him drink, and so intoxicated him, that he knew not how he got on board the

Cyclades, where he found himself pitched in the pump well, [illegible] the main-mast, when he recovered his senses; and here he also saw two more of his shipmates, and a stranger, who was in a sailor's dress. Witness then came on deck, where he saw Mackenzie, Thompson, Cook, Fisher, and Brown, on the deck; he also saw Lord Sligo on board that evening on deck, who asked him his name, when witness told his name, and that he belonged to the Montague. They were then two miles from shore. Next morning he again saw Lord Sligo, being then perfectly sober, which he was walking the deck with a Spaniard of the Montague, of which they were talking. Lord Sligo again asked their names, and they answered that they were Elden and Story, and that these were the names by which they went on board that ship; he then told his lordship, that being men-of-war's men, it would be [illegible] by our own names, and Lord Sligo immediately said, "Come to me, and I will alter them." They went on the quarter-deck, and defendant gave the name of William Smith to the witness. A few days afterwards, his lordship told him, that he would be useful in exercising the guns, to which he objected, that he saw none there who did not know the use of the guns as well as himself: he then saw several of the Montague there, Cook, Fisher, Brown, Story, Sherwin, Thompson, Mackenzie, and Traverse. Lord Sligo took active part in the management of that vessel, and assigned to them all their duties. At Palermo he asked Lord Sligo for leave to go on shore to get clothes; his lordship gave him five four dollar pieces for wages; he went on shore, and returned, not surrendering himself to any King's ship. At Messina he begged leave to quit the Cyclades, and offered to leave all the money and clothes he had received; his lordship would not suffer him, and forcibly retained him on board. He was over [illegible] to prevent his escaping. Lord Sligo at Palermo told the crew that he had procured a protection from Admiral Martin, having pledged his honour that he had no men of war's men on board. The vessels after [illegible] by the Active frigate and a brig, were brought to, and a King's boat *came alongside*. Lord Sligo then desired the witness

to go below, and the latter would rather stay where he was; the rest followed below. Lord Sligo had been for some minutes, but returned and told them to keep up a good countenance, that they were not to be taken to the cells, where were the rest of the leaders of the row, and that the Montagues' men had refused even to mount the ladder placed at the hatchway, but above half an hour after came up, and they then presented the Petition, which he said some more had leave of absence for a few days; and about letters to his Lordship from his mother Lady Ellen. The next day he visited without giving the many soldiers and sailors and more in great distress; they were forced to sell their clothing; they had nothing but what they stood up in; they got a bed, but could not undress themselves. They then went to Sete, and went with a Petition to the Pylades, but Lord Sligo refused to take them in, and threatened to fire on any boat that came near the ship. They were all upon deck, the crew formed them in front, the Carpenter, the Surgeon, the Purser, the Warrant Officer, and the sail maker. The whole formed a most interesting and extraordinary picture. [illegible] Fisher, Sullivan, Brown, all belonging to the Montagne, [illegible] upon his knees upon the deck, when the Marquis declined, upon his word of honour, [illegible]

Mr. Denman then addressed the jury on behalf of the defendants. He did not, however, think it necessary to defend the whole of the conduct of his Noble Client, who, though provocations were given him by [illegible] men, from the King's service, yet was ready to acknowledge, that they had remained with him, and he had not given them up to the law, as was his duty to suppose that they were deserters. At the time when all this happened, Lord Sligo was a very young man, hardly come of age, and had hired a brig while at Malta in the summer of 1810, for the purpose of making a voyage through the Mediterranean, and visiting the Greek Islands, so famous in ancient history. Newly come from the seats of learning and education, which are the laudable

object of which he was in eager pursuit, the learned gentleman then endeavoured to shew the improbability of the Marquis being actuated by what he had done by any motives of disloyalty, and concluded his speech by admitting, on the part of his client, that he had offended against the letter of the law: and was only anxious to be liberated from the charge of deliberate seduction: and so far at least, he trusted, the jury would deliver a verdict in his favour.

The learned counsel then called several witnesses; the first was James Harding, a servant of the Marquis. His evidence, and that of the others, went to exculpate his Lordship from any knowledge of the transaction.

The evidence for the defence being closed,

Lord Ellenborough recapitulated the whole of the evidence to the jury, and made many comments on the pledge which the Marquis had given of his honour to the Admiral, that there was no men-of-war's men on board, which, on the faith of that pledge, the Admiral granted him protection for a crew of forty men.

After a short consultation in the box, the jury found his Lordship guilty of all the counts in the indictment, except one for false imprisonment.

The Judge (Sir William Scott) then ordered, that his Lordship, who was in Court, should enter into recognizance to appear to-morrow to receive judgment.

The trial lasted till near two o'clock in the morning.

The Marquis of Sligo on Thursday appeared in Court to receive sentence; an affidavit was put in, which purported that he knew nothing of the circumstance of his having men-of-war's men on board till the time of the search.—

Lord Ellenborough interrupted it by observing, that the affidavit must not impeach the evidence.

Mr. Scarlett said, that it was not its object.

The affidavit was then continued, stating, that as soon as he found he had two of the Warrior's men, he was anxious to dismiss them: it then expressed contrition for his folly and rashness, and a hope that the letter which was written

to Captain Spranger (which was never intended for the public) would not be thought to convey any disrespect to the laws of his country, which he was ready and anxious to uphold.

Sir William Scott then, after an impressive speech, passed the sentence of the Court upon his Lordship, which was—that his Lordship should pay to the King a fine of 5,000*l.* and be imprisoned four months in Newgate.

His Lordship bowed, and was conducted by the keeper through the private door to the gaol.

In the Court of King's Bench, on Thursday, the 16th of November, 1809, ELIZABETH SUMMERFIELD, aged 66, was sentenced to be imprisoned three months, and to stand in the pillory, for endeavouring to prevail on a soldier to desert, and enter into the navy as a substitute for her son, who had been impressed. The poor creatures case excited much interest. She had five sons, four of whom were already in the King's service; she was very indigent, and this son, torn from her in her old age, she wished to retain and assist her in business.—All this the Attorney-General Sir Vicary Gibbs said, was very true; but justice must be done.

GEORGE FINCH AND WILLIAM TOMLINSON,

for returning from Transportation,

AND WILLIAM PEARCE,

for Horse-stealing,

Executed before Newgate, on Wednesday, August the 19th, 1807.

GEORGE FINCH was born of poor, but industrious parents, who took care of his education until he was fourteen, when he went to service; but, being of an idle disposition, he neglected his master's business, and ran

erected himself with pick-pockets in different parts of the metropolis. Having been too successful in this nefarious practice, he was encouraged to join a more daring set of depredators, namely, house-breakers and foot-pads, by whom he was made to believe he could more easily obtain the means of supporting the extravagance of a lewd woman, with whom he cohabited, in Poultea Court, in Windmill-Street, Haymarket. It would be difficult to trace the numerous burglaries and robberies in which this young man had been concerned. He was at length stopped in his career, and with his brother, Thomas Finch (who also followed his example), capitally convicted, in April, 1805, of burglariously breaking into and entering the dwelling-house of Crispin Dark, linen-draper and hosier, at Salisbury, next door to the Castle. The evidence, perhaps, was not deemed sufficiently clear; for, instead of their suffering the rigid sentence of the law, his Majesty was graciously pleased to mitigate the punishment, which was changed to transportation.

William Tomlinson was a native of Yorkshire, where he lived many years honestly, till coming on some business to London, he unfortunately got acquainted with the Finches, and others of their stamp, by whom he was soon corrupted. In February, 1806, he was indicted at the Old Bailey, for feloniously stealing eight-three pounds weight of cast nails, value ten shillings, the property of Thomas Gill, a wheelwright, for whom Tomlinson had worked about three years and a half, but had quitted his service upwards of a year and a half before the above-mentioned felony was committed. Having been found guilty on the clearest evidence, he was sentenced to be transported for seven years.

William Pearce was the son of poor parents in the county of Kent, who took all the pains they could with his education; but bad company and an idle disposition brought him to destruction. He became at length an old offender, well known at the public offices; but his career

was cut short in 1807, when, having been apprehended by Atkins, the officer in Hackney fields, he was instantly brought to trial at the Old Bailey, on a charge of horse-stealing, and found guilty.

Finch and Tomlinson, long before the expiration of the time for which they were transported, returned to England, and again followed their unlawful practices, committing a great number of depredations in and near the metropolis. They were concerned in cutting and stabbing in a most dreadful manner Michael Coleman, a watchman, and two other persons, in St. Giles's, May 25, 1801, as they were attempting to rob the Watford carrier's waggon, and for which a reward of 100*l.* was offered for the apprehension of the offenders. The watchman pursued the offenders to the corner of Bow-street, Bloomsbury, when his bowels gushing out, he fell, and could no longer follow them.

The magistrates of the police-office, Whitehall, having received information that those men were concealed in a house in Charlotte-street, New Road, dispatched Griffiths, a most active and experienced officer, to the spot, to make discoveries and procure what proved to find out of the house, and to apprehend them; but the villains, suspecting that some plan was laid for their apprehension, remained close in the house all that night.

On the following day (Sunday), Mr. Griffiths, having procured the assistance of two more officers, proceeded to the house, and demanded admittance, which was refused; the villains at the same time threatening the officers, if they persisted in their attempts, that they would fire on them; the officers replied, that they were likewise armed, and should execute their orders, notwithstanding their threats. Having forced open the door, the police party were proceeding up stairs, when the prisoners fired on them from the staircase; the officers returned the fire, which was kept up on both sides, until the prisoners' ammunition was exhausted, when they were obliged to surrender.

Though there were several charges against Finch and Tomlinson, exclusive of their attack of the watchmen, it was deemed proper to indict them only for stealing

[redacted] and their persons being identified, the jury found them Guilty.

The behaviour of these three malefactors, after their conviction, was suited to their unhappy situation. They constantly attended to the instructions and admonitions of Dr. Lloyd, the reverend gentleman, who usually assists the unhappy criminals in their devotion.

On the morning of their execution, Wednesday, August 19, 1807, they received the sacrament, and prayed with the clergyman some time; they then proceeded to the press-yard, where their irons were knocked off, and their arms bound; after which they ascended the awful gallows, being a new platform, opposite Newgate, on which these unfortunate men were the first who suffered.

George Finch and William Tomlinson went first on the scaffold, with firmness; and while the executioner was adjusting the ropes, they conversed, turned round to gaze on the surrounding crowd, and were launched into eternity while in the act of shaking hands. Pearce did not possess so much fortitude; he could scarcely stand; his trembling lips [illegible] after he ascended the scaffold. They remained close in the house all that night.

On the following day (Sunday), Mr. Griffith, having procured the assistance of two more officers, proceeded to the house, and demanded admittance, which was refused; the villains at the same time presenting [illegible] on them; the officers replied, that they were likewise armed, and should execute their orders, notwithstanding their threats.

JOHN SIMMONS WINTER, BENJAMIN ALLER, AND WILLIAM TAYLOR.

Executed at the Old Bailey, for feloniously stealing Silk and Feathers of great Value, from a Vessel on the River Thames; John Ivey being supported for aiding in the Felony, with Robert Cooper for receiving part of such property, knowing it to have been stolen.

Few trials have more engaged the mercantile part of the metropolis than that which we have now to report; and, we believe, for an act of felony, none ever consumed so

great a length of time. It had long been known that a considerable number of fresh water pirates had infested the river Thames, many vessels having been plundered, and the stolen property so well secured, as to defy the search of the officers of police, a circumstance which plainly indicated that some above the common level of thieves were concerned in such nefarious practices.

On Friday the 30th of October, 1818, John Simmons Winter, B. Allen, and W. Taylor, were capitally indicted for stealing ten bales of raw Valencia silk, each weighing one hundred and two pounds, and two trunks of ostrich feathers, the property of B. Hotchon, to the value of upwards of 2000*l.* from on board the Sisters hoy, in the River Thames. J. Ivey and J. Knox, were also capitally indicted for aiding and assisting in the commission of the felony; and R. Cooper and G. Harris for receiving part of the same property.

Mr. Milner, merchant, and Mr. Israel, banker, proved that certain quantities of Valencia silk, sent to them by the Velocity brig, on consignment, had never reached them.

J. Bampton, the master of the sisters hoy, said, that in June last, he gave information to J. S. Winter, and to Armstrong, Brown, and Fenwick, not in custody, that he was to bring up ten bales of silk, and four cases of feathers, from the Velocity, lying in the Stangate creek. It was agreed among them, that Winter, who commanded the Brothers sailing-barge, should follow down the Sisters hoy. On her return with her cargo, the Brothers was to follow; and if the wind was foul, the Sisters was to come to an anchor off Dagenham, where Cooper and one Ingram, were to be in waiting to receive the goods. If the wind was fair, Bampton was to run his hoy a-ground off that place. So far the scheme was carried into execution; but in coming up the river, Bampton having a fair wind, and considering it to be a very dangerous enterprise, sent Knox, his mate, to Winter's barge, to tell them, that he could not run his hoy on shore without exciting suspicion of one of the officers on board her, who, having been an old fisherman, knew the river as well as himself; but they might do it at the Custom-house, as he would come to an anchor in

he could. Ivey brought back word, that he must drop further below the Pool, and they would do it. He, however, ran her up to the Custom-house quay, and there moored her. On the Sunday (the day following) Winter called on him, and asked him if he did not think it possible to hail the boy alongside of his barge in the night; but witness expressed his dissent from that, as there were two Custom-house officers on board. On Tuesday night (that of the robbery) witness went to his club.

S. H. Mason, the owner of the Brothers, proved that J. S. Winter, commanded that barge for him, and had half the freight for it.

Mrs. Bampton remembered Winter calling on her husband the Sunday after the last return from Stangate creek.

G. Brown, a waterman, in June last, agreed with one Armstrong and Winter, to go down to Stangate creek, and take some silk out of a hoy. It was agreed that one Cudlick, the witness, and Taylor, should board the hoy, cast off her moorings, and then Winter, Armstrong, and Ben Allen, were to go round in a boat, and tow her alongside Winter's barge. If the officers said any thing, Cudlick was to personate Bampton. The scheme, he said, was put in execution; the officers were fastened down, the hatches broke open, and the property removed into the Brothers. While they were removing the bales from the barge to the cart, there was a watchman on the pier, whom they gave money to, in order that he should say nothing about it. After the property was thus conveyed away, Ivey said he would have nothing to do with it; it was a dangerous concern; but he could sell it if the affair was blown over. Witness then suggested that Fenwick should take a sample of the silk to Cooper. This Fenwick agreed to.

The learned Judge here adjourned the Court till nine o'clock on Saturday, the trial having at that time lasted from ten in the morning till eleven o'clock at night.

On the 31st of October, Brown, the last witness on the preceding evening, was again called in, and continued his evidence. Fenwick, he said, went with the silk to Cooper, and witness and the rest waited his return. Soon after

Cooper came, and agreed to take it. The price agreed on was 20s. per *lb.* Cooper asked if they wanted any money, and gave witness 3*l.* Next morning, as he and Winter were going home, they were apprehended.

G. Scares, a lighterman, met Brown, whom he had known for years, at the Harp, in Harp-lane, on the Saturday before the Sisters boy was robbed. Brown said he could put witness into a good thing; for Hotchson's boy, the Sisters, was lying at Brewer's Quay, laden with bales of silk and ostrich feathers; and he said, "George, you may as well have a hundred pounds or two as not." He further stated, that it was better than all their chandler-shop work. Witness said it was a hazardous concern, and would have nothing to do with it; Joseph Winter was present at this time. Brown wanted him to go to the boy for Bampton; but he would not go, and said he would not be seen in any such thing. Winter afterwards said he would think no more of shooting Bampton than he would a sparrow, because he had deceived him, and made him spend all his money, without getting any thing for his trouble. Bampton, he said, might have run his vessel ashore at Old Haven, or on the Bligh Sand, and there would have been no suspicion of him [Bampton), as he would have been fastened down as well as the officers. After the robbery, witness gave information of these circumstances to his employer, Mr. Lucas.

Mr. Lucas corroborated the latter part of last witness's testimony, and also that he had given information to Mr. Hotchon.

R. Fenwick, a ship-chandler, at Greenwich, deposed, that Brown promised him to go down the river to get some silk, and he agreed to go. In the rest of his evidence he merely stated the same facts as have been already detailed in the evidence of Bampton and Brown.

R. Brown, the brother of Brown, the accomplice, corroborated part of his brother's testimony.

Rebecca Fenwick, the wife of the witness of that name, deposed, that her husband went down to Chadwell, in Essex, with Ingram, to be out of the way.

James, a watchman at Baker's dock, deposed, that he saw goods landed from a barge there, and taken away in a cart. Witness got three three-shilling-pieces from Brown at the police-office, and also from the landlady of the Orange tree, near Baker's dock, which she deposed she received from Winter, and also 15s. to bring against another person named Swann, to hold his tongue.

Spriggs, a carman, swore that he carried some silk to Mr. Gibbs, in the Cushion-road. He could not tell who employed him, but a man like Cooper walked near the cart.

A constable searched Norman's stable in Gravel-lane, in the Borough, and found a quantity of silk and some ostrich feathers, which, by the mark on the box, were proved to have been part of that stolen from the Sisters box.

J. Gibbs, a silk-manufacturer, deposed, that Cooper sold him some silk, about 2 cwt. at 23s. per lb. It was brought in a small cart, and Spriggs was the carman. Some more of it was sent to him by Cooper, and it was brought by a woman at different times. Witness sold the silk to Mr. Green, of No. 1, Worship-square, at 26s. 6d. per lb.

J. Green, of Worship-square, ribbon-manufacturer, proved that Gibbs sold him 632lb. of raw silk, which he sent to Mr. Percival, a silk-thrower, at Bruton, in Somersetshire, to be thrown. The silk found in Norman's stable was shewn to him, and he considered it to be of the same quality with that which Gibbs sold him.

Mr. Bonsfield, a silk-broker, proved that the silk shewn him by Mr. Green was Valentia raw silk.

Mr. Percival proved that he received a quantity of Valentia raw silk, sent by Mr. J. Green, at his silk mills at Bruton, in Somersetshire. When shewn the silk found in Norman's stable, he said that, from the length of reel, and the quality, he believed it to be the same with that sent him by Mr. Green.

The learned Judge was hesitating whether to go on a little farther, when Mr. Newman informed his Lordship that Taylor, one of the prisoners, was so ill, that they could not

keep him up any longer. His Lordship directed the jury to be kept together until the next sitting, and that the Court should meet on Monday, at nine o'clock.

On Monday the 2d of November, the trial was accordingly resumed, and a number of witnesses were examined on the part of the prosecution. The evidence against the prisoners being closed, the prisoners were called upon for their defence.

Mr. Alley, in behalf of Knox, submitted that he could neither be considered a principal nor accessary, since the project to which he consented was not executed, and therefore, that the law would not presume his assent to the last.

Mr. Pooley, for Ivey, submitted, that there was no evidence to affect him as an accessary before the fact.

Baron Thompson over-ruled the objection.

Winter then handed in a paper in which he positively declared his innocence, and begged for mercy.

Allen also handed in a paper, making a similar assertion, and accusing Brown, the accomplice, of perjury.

Taylor repeated the assertion, that he had not the least concern in the robbery.

John Ivey maintained that he was innocent, and stated that he had a wife and five children dependent upon him.

Knox, before God, declared he was guiltless.

Cooper admitted that he bought 10 *cwt.* of silk, but he thought it was smuggled.

George Harris insisted that he disposed of the silk merely as smuggled goods, and was entirely ignorant of the felony.

The evidence for the prisoners being closed,

Mr. Baron Thompson summed up the evidence. After some general observations the learned Judge recapitulated the evidence as applying to each prisoner, and left it to the jury to decide on the degree of credit the witnesses were entitled to.

The Jury retired nearly three hours, and brought up the following verdict:—Joseph Simmons Winter, Benjamin Allen, and William Taylor, John Ivey, and Robert Cooper, Guilty; Joseph Knox and George Harris, Not Guilty.

ree first, being principals, were capitally convicted:
id Cooper, as accessaries, transported for fourteen

prosecutor was allowed his full costs.
he end of the Sessions, Winter and Allen received
:e of death. Taylor, continuing in a dangerous state,
)t brought into Court; but at the next Sessions
:e was also passed upon him.
:w days after their conviction, the Turnkeys had
on that some underhanded work was going on, in the
nned ward, and several implements were found to have
onveyed to Winter and Allen, and another prisoner,
Bell, calculated to enable them to make their escape;
few days previous to their execution, they were de-
in another similar attempt.
he 25th of January, 1813, Winter, Allen, and Taylor,
above offence, suffered the sentence of the law.

HN DOEKE ROMNEY, alias ROUVELETT,

**d at Ilchester, pursuant to his sentence, at the Summer Assizes of
), in Somersetshire, for forging the Acceptance of a Bill, with
n Intent to defraud Madame Simeon, Lace-vender, of Bath.**

S notorious offender was well known at Bath, where
sed for a West-Indian of considerable fortune and
: he was about forty years of age, and had the
ance of a Creole. He lived with a woman of the
f Elizabeth Barnet, who passed for his wife, particulars
om will be given in the course of this narration.
g been arrested for debt, he was occasionally visited
s woman in the Fleet-prison, and was afterwards
ed by *Habeas Corpus*, into Somersetshire, on a charge
ery. Conscious that Elizabeth Barber was the only
against him, by whose evidence he could be con-

victed of the forgery, as well as of perjury, another case also pending, Rouvelett having falsely sworn a debt against Mr. Durant, of the York-Hotel, Abermarle-street, he had her taken up for a supposed robbery, and charged her with stealing his purse in the Fleet-prison, containing forty guineas, half-a-guinea, and a valuable diamond. This case of singular atrocity came on at the Old Bailey, Saturday, July 5, 1806. The young woman was fashionably attired, and her appearance excited universal sympathy. Rouvelett was brought up from Ilchester-gaol, ironed, to prosecute on his indictment. An application was made to put off the trial, on the affidavit of the prosecutor, which stated, that some material witnesses at Liverpool had not had sufficient notice to attend. The object of this attempt was to prevent the prisoner from appearing against him on his trial for forgery, as also to prevent her becoming a witness against him in the case of perjury, as already mentioned. The Recorder saw through the transactions, which he described as the most foul and audacious that ever were attempted. He ordered the trial to proceed. Rouvelett, who called himself a gentleman, stated, that the prisoner was with him on the 11th of June, 1805, when he drew half-a-guinea from his purse, and gave it to a messenger; after which he put the purse, containing the property as stated in the indictment, into the pocket of a surtout coat, which was hanging up in the room, in which was the ring worth 30*l*. There were no other persons in the room but the prisoner and himself; and in twenty minutes after she was gone, he missed his property from the great-coat pocket. He concluded that the money was safe, as the prisoner was gone to Durant's hotel, Albermarle-street, and he did not suppose her capable of robbing him. She, however, absconded, and he never saw her again until she was arrested at his suit, jointly with Durant, in an action of trover for 20,000*l*. for deeds, mortgages, and bonds, bearing interest, for which bail was given. He had no opportunity of bringing her to justice for the alledged robbery, he being himself a prisoner. (The Recorder here remarked, that the prosecutor could find the prisoner for a civil suit,

although he could not find her for the criminal act). On the cross-examination of the prosecutor, he said he was born at St. Martin's, in the West-Indies, and he had been at most of the islands in that quarter: his uncle was a planter in the West-Indies, and he lived on such means, whilst in England, as his family afforded him: he was brought up in Amsterdam, at the house of Mr. Hope, Banker; after which he became a lieutenant in the British army (the 87th regiment). He knew Mr. Hope, of Harley-street, Cavendish-square, and Mr. Hope knew him to be Mr. Rouvelett, of St. Martin's, for the two families had been closely connected for 100 years. He lived in England on remittances from his uncle, in goods or bills, but he had no property of his own. Messrs. Stevens and Boulton used to pay witness his remittances at Liverpool, but he could not tell who paid them in London. The Recorder observed, that the witness should not be pressed too far in giving an account of himself, as he stood charged with forgery. On being asked, if he, the witness, had not said he would be revenged on the prisoner, as she was intimate with Durant, and charge her with a felony, he answered that he did not recollect having said so; but the question being pressed, he partly acknowledged it. The purse, which was empty, witness acknowledged was found under his pillow, on the 12th of June, the day after the alledged robbery, by his room *chum*, a man of the name of Cummings. The prisoner was with him in prison after the 12th of June, although he had said she had absconded.

The Recorder did not suffer the cause to be farther proceeded in, and directed the jury to acquit the prisoner; and observed, that this was the most foul charge he had ever heard of.

The disgust of the persons in Court was manifested by hisses and groans, as the fellow retired, in such a manner as baffled the efforts of the officers of justice for some time to suppress.

The trial of this malicious offender, who was thus happily disappointed in his views, came on at Wells, Tuesday,

August 12, 1806, before Baron Thompson, and excited uncommon interest throughout the county of Somerset.

The prisoner, John Doeke Romney, alias Rouvelett, was indicted for having feloniously and knowingly forged a certain Bill of Exchange, dated Grenada, 10th of November, 1804, for 420*l.* sterling, payable at nine months sight, to the order of George Danley, Esq. and drawn by Willis and Co. on Messrs. Child and Co. in London, with the forged acceptance of Messrs. Child and Co. on the face thereof, with intent to defraud Mary Simeon.

Mr. Burrough entered into the details of the case, which were afterwards substantiated by the evidence.

Mr. Philip George, the younger, clerk to the Mayor of Bath, stated, that the bill in question was delivered to him by the Mayor of Bath, and that he had ever since kept the bill in his own custody.

Mrs. Mary Simeon, dealer in laces, at Bath, was next called, and was proceeding to give her evidence, when Mr. Jekyl, counsel for the prisoner, submitted a legal objection to the Court. He observed a difference between the bill itself, and the bill as set forth in the indictment. The words to which he alluded were *Willis and C.* in the bill, whereas in the indictment they were set forth *Willis and Co.* After some discussion, Baron Thompson and the jury agreeing that there appeared no essential difference, as the letter *o* could be distinguished, the objection was over-ruled.

Mrs. Simeon deposed, that in April, 1805, she lived at Bath; the prisoner at the bar came to her house on or about the 16th of March, 1805; having looked at several articles in which she dealt, he bought a fan, paid for it, and said he should bring his wife with him in the afternoon. He accordingly did so, and brought Elizabeth Barnet, as his wife, Mrs. Romney; he asked whether Mrs. Simeon had a Brussels veil of 150 guineas value? The witness answered she had not; he then bought two yards of lace, at four guineas a yard, and went away. This happened on a Saturday. The Monday following he came again, accompanied by his wife, looked at a lace cloak, and

orth five and twenty guineas, and other goods, but buy any. In the course of the week he called again, posed to the witness to purchase a quantity of goods would take a bill of a long date, accepted by Messrs. nd Co. bankers, in London. Witness answered, she objections to take a bill accepted by such a house. urned in two or three days, and purchased articles to ue of about 140*l.* which, with other goods afterwards , and with money advanced by her, made the r her debtor to the amount of 299*l.* He bought all icles himself, unaccompanied by his wife. In the of April, between the 20th and 24th, the prisoner ed paying for the different articles, and he brought fe to the house; when a meeting took place between and the witness, and her brother, Mr. Du Hamel. d "I am going to London, and I should like to settle ou: this is the bill I proposed to you to take; it is ed by Child and Co. bankers, in London;" and g over the bill, he added, "the indorser is as good as ceptors."

bill was here produced, and proved by Mrs. Simeon he same which the prisoner gave to her in April, 1805. witness then took the bill, and her brother, Mr. amel, paid to him for her 35*l.* which, with the articles usly bought, made the whole of the prisoner's debt to 9*l.* He wrote before her on the bill the name of John ey, as his name. He afterwards went to London by ll. She sent the bill the next day to London.

conversation which passed between her and the er, in the presence of her brother and Elizabeth t, was entirely in the French language. He left his t her house, where she slept. While he was absent, tness received intelligence from London that the bill forgery, and she instantly wrote a letter to the pri- informing him of it. He came to Bath in consequence letter, late of a Sunday night, and a meeting took then at her house between him, his wife, herself, her r, and her solicitor, Mr. Luke Evill, of Bath. The rsation then passed in English. Several questions were

put to the prisoner by herself and by Mr. Evill. Mr. Evill asked him, whether he had any business with W. A. Bailey, the indorser, which induced him to take the bill. He said Mr. Bailey had sold some sugar for him. She asked him if Bailey lived in London; he replied, at some inn or coffee-house, the name of which she did not recollect. He was then asked in what island or islands Mr. Bailey's property was situated: he mentioned two or three islands in the West Indies, but he did not know in which of them Mr. Bailey at that time was. The prisoner then inquired where the bill was; and being informed by the witness that it was in London, he said she must write to get it sent back. She, however, declared that such an application would be unavailing, and the prisoner pressed her to go to London herself. She refused to go alone, and he entreated Mr. Evill to accompany her, saying that he would give Mr. Evill 20*l.* to defray the expences of the journey, which he accordingly did. She set out at ten o'clock that night, accompanied by Mr. Evill, and obtained the bill from Messrs. Stone and Allen, in whose custody it was, by paying three hundred guineas, which was all the money she then had at her banker's. She brought the bill back to Bath, having stopped but one day in London, but the prisoner was not at Bath when she returned. He had left some property at her house with his wife, who had removed from Sidney-house, with his clothes, &c. The bill remained after this in her custody about a twelve-month, and was given up to Mr. Evill by her brother. Mr. Dorant paid the whole of the debt due by the prisoner on the 6th of May, 1809, a few days after the prisoner finally left Bath.

Upon the cross-examination of Mrs. Sinecy, it appeared that she considered the prisoner and Elizabeth Romney as man and wife. It was not until May, 1809, that she appeared before the Mayor of Bath against the prisoner, whom she knew to have been in the King's-prison. She did not go before the magistrate at the solicitation of Mr. Dorant, nor did she at any time, nor on any account, receive any money from Dorant, but what was actually paid to her due by the prisoner.

Mr. Du Hamel, brother of Mrs. Simeon, corroborated all the principal facts stated by his sister.

Mr. Whelan deposed, that he was a clerk in the house of Messrs. Child and Co. He had filled that situation for about nine years, and, from his knowledge of the business, he was enabled to state their manner of accepting bills. The house had no correspondents whatever at Grenada by the name of Willis and Co. and the acceptance, which appeared on the face of the bill, was not the acceptance of Messrs. Child and Co.

Mr. Comyn was next called, but his evidence was not material.

Mr. Luke Evill, solicitor for the prosecution, stated, that he had sent the bill from Bath to his agent in London, for the purpose of its being delivered to Mr. Dorant.

Elizabeth Barnet was next called. She deposed, that she became acquainted with the prisoner in the month of September, 1804, when at Liverpool. About a fortnight after she first saw him she began to live with him, and continued till the 16th of June, 1805; during all that period she passed under the name of Mrs. Romney. She left Liverpool in the month of January, 1805, and came to London with the prisoner. They then took lodgings at Mr. Dorant's Hotel, in Albemarle-street. The account he gave of himself to her was, that he was a West-Indian planter, and that he had estates in Martinique and St. Kitt's. They remained between two and three months at Mr. Dorant's Hotel. During which time they were not visited by any body except a Mr. Hope, whom she remembered seeing with the prisoner. This Mr. Hope was not represented to her as being from Holland. She accompanied Mr. Romney to Bath, and on their arrival there they lodged at the White-Hart Inn, for about a fortnight, previous to her lodging at Madame Simeon's. Soon after their arrival at the White-Hart, she went along with the prisoner to Madame Simeon's, to look at some laces and a black cloak. None of these articles, however, were purchased at that time by the prisoner, they being afterwards bought when she *was not present*. She heard the prisoner state to

Madame Simeon, that he would give her a Bill of Exchange, accepted by Child and Co. of London. She did not then see any bill in his possession, but saw him writing one three days afterwards, when he sent the witness for some red-ink. She brought it too him, when he was still writing on the same piece of paper, and he soon afterwards wrote therein with the red-ink, and put it up into his pocket-book without saying any thing. The next day he told her she must go and walk with him to Madame Simeon's, as he was going to pay her for some articles he had bought, which the witness had by that time got sent home to her. She accordingly accompanied him to Madame Simeon's shop, where she saw that lady, and her brother, a Mr. Du Hamel. A conversation then took place betwixt them, which being entirely in French, she did not understand. She, however, saw a paper given by the prisoner to Madame Simeon, which he took out of his pocket-book. This was the same paper which she had formerly seen him writing. A good deal of conversation ensued after the bill was put down, and she then saw Romney put his name to it. The bill in question was here shewn to the witness, and she distinctly identified it as being the same one she had formerly seen the prisoner write upon with red-ink, and afterwards indorse with his name. Two or three days afterwards the prisoner left Bath for London, and the witness remained at Madame Simeon's. He returned on the Sunday night following, and remained at Madame Simeon's till next day. She observed that he was then very much disturbed, and she enquired the reason. The prisoner answered, by saying, "He must be hanged." He asked her to fetch him his writing-desk, which she did. He then took out a large parcel of papers, and burnt them. She had no opportunity of seeing what those papers were. She asked him, "Were the papers any harm?" He said, "Yes;" and that there was a paper which must not be seen. He further desired her to go to such and such a trunk, and there she would find a plate, which he wished her to take the first opportunity of throwing into the river. This plate she found without any thing with it, and she put it into her own trunk amongst her wearing apparel. He

wrote her a letter afterwards from Chippenham, requesting her "to remember the river." (This letter not being produced, no interrogations were put concerning it). She had not an opportunity of throwing this plate into the river, as she never went out but under Madame Simeon's protection. She never lived with the prisoner after that day, the 6th of June, 1805. She, however, remembered visiting him in the Fleet-Prison. She was soon afterwards arrested at Bath, at the prisoner's instance, for the sum of 20,320*l.* and carried to Winchester gaol, and afterwards removed to the King's-Bench. She saw the prisoner on this occasion, and again at the Old Bailey, when he was examined as a witness against her on her trial. He then charged her with having robbed him on the 11th of June, 1805, of forty guineas and a diamond-ring, when he was in the Fleet-Prison. This charge was totally without foundation, as was also the alledged debt of 20,320*l.* She never had any transactions in her life to which such a charge could refer. She heard him also give his evidence at Westminster-Hall.

On her cross-examination she deposed, that her real name was Elizabeth Barnet. She is the daughter of a farmer in Shropshire, from whom she had had a plain education. She left her father when nineteen years of age, and went to Liverpool, where she lodged with a Mrs. Barns; she lived in Liverpool about nine or ten months. After she had left off seeing Mr. Rouvelett in the Fleet, she lodged at a Mr. Fox's, in Henrietta-street, Covent-garden, for seven or eight weeks. She afterwards went to Berry-street.

To some additional interrogatories by Mr. Burrough, this witness further deposed, that the prisoner Romney sued out a writ against her for 1200*l.* exclusive of the sum before mentioned. This was after she had ceased to visit him in prison, and had gone to reside at her father's, and it was also previous to the arrest for the 20,320*l.* already taken notice of. No demand was made against her by the prisoner, when she visited him in the gaol. She is now about to return to her father's, and he knows of her intention to do so. She has three sisters and a brother, who were all residing with her father when she first left home. When

she was arrested for the 20,380*l.* she was examined before the Mayor of Bath. What she related concerning the bill in question, she most solemnly declared was the perfect truth.

On the interrogatories of Mr. Baron Thompson, the learned judge, this witness added, that she could read writing pretty well: when she brought the red ink to the prisoner, she remembered asking him what he had written; and he said he was drawing on Child and Co. She then observed to him, that what he had written with the red ink looked very handsome: this made her perfectly certain as to the bill produced on this trial being the identical bill she had seen the prisoner writing. Ms. Rumney at that time thought she could not read writing, he was at that time teaching her to write his name as he did, and she made considerable progress in imitating his hand. The bill upon which he wrote across with red ink, was printed (meaning engraved) exactly as the one now produced. The next day when she saw the bill given by the prisoner to Mordecai Simeon, she particularly remarked the date upon it being the same as that she had formerly seen.

The prisoner was called on for his defence, and apparently with considerable confidence and firmness addressed the Court:—

The circumstances attending the bill for which he stood charged, he could very well explain. About the month of June, 1808, a quantity of coffee, rum, and sugar, the produce of his estates in the West Indies, were sold by his agent a Mr. M'Clarin, to a gentleman of the name of William Anthony Bailey, for which he (Mr. Bailey) gave a bill of exchange, drawn by the house of Galvert and Simpson, of St. Christopher's, in the West Indies, upon the house of Bond and Proctor, at Lancaster, at six months date, for 218*l.* 16*s.* This bill he (the prisoner) consented to take as payment of the produce sold, and coming to England upon business, he brought it with him. On being presented to the house of Bond and Proctor, acceptance was refused, and it was therefore noted, and returned to his agent in the West-Indies in the year 1809, who, meeting

with Mr. Bailey, at St. Bartholomew's, received in lieu of the said bill a bond for 300*l.* to answer the damage arising from the expence of protesting &c. as well as the original sum. This bond was transmitted to him by his agent, who advised at the same time, that Mr. Bailey would be in England, in the end of September, 1804, and that the transactions could be settled with himself. On Mr. Bailey's arrival in London, January, 1805, he (Romney) received a letter from him, addressed to him when at Liverpool, informing him of his readiness to settle the business. He (the prisoner) accordingly waited on Mr. Bailey at his lodgings, Craven street, Strand, when he offered him some other bills of exchange, drawn and accepted by other houses in England, which he (the prisoner) did not object to, provided he knew the acceptors. Several bills were then produced, and among others, that one in question for 420*l.* which he consented to take from him, and pay him the difference, which amounted to 139*l.* 7*s.* The bill was then indorsed by Mr. Bailey to him, on his assurance that it was a good and valid draft on Messrs. Child and Co. It having then about seven or eight months to run, it became then in a manner useless to him, so he could not get it discounted. Happening to be at Bath, he offered it to Mrs. Simeon, she having no objection to take it in payment of an account due to her by the young woman who had accompanied him there. Mrs. Simeon agreed to account to him for the proceeds. Having occasion to go to London upon his business, Mrs. Simeon offered him the use of an apartment for his trunks, &c. which he gladly accepted of, and went off, leaving the young woman under the care of Mrs. Simeon. He was then lodging at Sydney-house, and as he did not think it safe to leave his effects at a public hotel, he removed them to Mrs. Simeon's house, in the Grove, Bath, in his own carriage, and by his own servants. As he could not get a large bank of England note for 100*l.* broke or changed into small notes, he applied to Mrs. Simeon, who accommodated him with the loan of 30*l.* in small Bank of England notes, and at the same time he indorsed the bill for 420*l.* to that lady, in the presence of her brother, who offered him

more money in country bank notes, which he refused, as he only wanted so much as to pay the expences of his journey to London. After leaving his address with Mrs. Simeon, he was accompanied by her brother to the mail coach. The address he left was, "Dorant's Hotel, or at Harman and Co's. Old Jewry." After being a few hours in town he was arrested at the suit of his jeweller, Mr. Davis, of Sackville-street, for a sum of nearly 700*l.* which he had refused to pay on account of the greater part of the charge being for diamonds sent to him at Bath, against his positive orders. Mr. Dorant, the hotel keeper, offered, unsolicited, to become his bail in the action, so that he was released from the lock-up house, and went to Dorant's, where he found a letter from Mrs. Simeon, apprising him of the bill being a forgery, and requiring his return to Bath or to advise her what she was to do in the business. He was then extremely ill of a fever, created by the agitation of having been arrested; but notwithstanding his situation, he immediately set off to Bath, after writing her an answer by the mail two or three hours after he had received her letter. On seeing Mr. Simeon and her brother, the forgery became the subject of discussion. He avowed that he was then ready to reclaim the indorsement, and he tendered back to Mrs. Simeon the 30*l.* or 35*l.* which he had borrowed of her. She appeared to expect that he would lend her about 430*l.* which he resisted, as he had not so much money about him. He told her solicitor, who was present, that he was perfectly ready to account for the bill having come into his possession; and therefore that he had little to apprehend from any criminal prosecution by Messrs. Child and Co. He referred Mrs. Simeon and her brother to Mr. Hope, of Hanley-street, and to Messrs. Harman and Co. of the Old Jewry, for his character, he being personally known to them. He had also recommended to Mrs. Simeon and her solicitor to make the necessary inquiries respecting the bill; and therefore wished them to go to London, and had readily paid their expences.

The prisoner then stated, as a proof of his innocence, that he might, when in the rules of the Fleet, have made his

[redacted]

[redacted] shape, had he been conscious of any guilt; and concluded his defence by a long detail of circumstances, for the purpose of shewing that the prosecution was founded in malice.

The only witness called on the part of the prisoner was George Fox. It appeared that Elizabeth Barnet had lodged at his house, in Henrietta-street, Covent-garden, about two months; he was a tayler and draper.

Baron Thompson summed up in a very able manner, and recapitulated with great minuteness the whole of the evidence.

The jury having consulted for a few minutes, returned a verdict of—Guilty of forging the acceptance, and of uttering it, knowing it to be forged.

The trial lasted nearly twelve hours, and the Court was filled in every part. Among the audience were the first characters in the county.

This unfortunate but notorious offender was executed at Chester, pursuant to his sentence, September 3, 1806. His last days were chiefly spent in writing letters, many of which he delivered to Mr. Broderip, the under sheriff, requesting they might be sent to the several persons to whom they were addressed, in England and the West-Indies. He declared his being guiltless to the last. After the usual time spent in devoutly praying under the gallows, he said a few words to the populace, entreating their prayers in his behalf, declaring that he died in peace with all the world, but still persisting in his innocence. As soon as the cap was drawn over his face, he instantly dropped his handkerchief, and was launched into eternity. He had been buoyed up with the hopes of a reprieve to the last, and even on the morning of his execution expressed great surprise that none had arrived. He was dressed in a blue coat with metal buttons, striped trowsers, green spectacles, and a fur cap.

JOHN ROBINSON,

Convicted at the York Assizes of the wilful murder of Susanna Wilson, his late Servant.

THIS malefactor (a farmer, who lived in a lone house, called Longstone, in Mickleby) was a married man, and had four children: he was tall, stout, and about thirty-three years of age. Susannah Wilson lived with him in capacity of a servant; but, on account of her pregnancy by her master, she quitted his service at Mickleby about two months before her murder, and went to reside with a relation at Guisborough. This poor seduced girl left her friends at Guisborough, between five and six o'clock in the morning of the 16th of February, 1807, on the evening of which day, there is every reason to believe she was murdered (though her body was not found till the 27th of March), alledging that she was going to see her master, who had promised to meet her with a bushel of wheat; but, previous to her setting out, she told them (to use her own language) "That a fear had come over her that morning, and if any thing but good came to her, they were to look to nobody but Robinson."

Some weeks having elapsed without her returning, or any tidings being received of her, it was conjectured she had been murdered; and as she left Guisborough to proceed towards Mickleby (a distance of twelve miles) for the avowed purpose of meeting Robinson, suspicion naturally fell upon him. This mysterious affair having become a common topic of conversation, several country people being at leisure on Good Friday, determined to devote the opportunity to instituting a search for the body, which they at last found buried in a part of Robinson's ground; they were led to examine the particular spot by the circumstances of his having, about ten days before, under very frivolous pretences, made a sort of sledge-road in the part, probably with a view to divert attention from it; but which in reality gave rise to suspicion that it was intended for a purpose

t from the ostensible one; which suspicion the dis-
of the body abundantly confirmed.
e coroner's inquest, which was held on the Easter
; Robinson's servant deposed, that his master left
bout five o'clock in the evening of the day on which
left Guisborough, and told his family he was going
bs, about four miles distant, to receive pay for a
It appeared that he arrived at Staiths about half past
nd slept there that night, from which there is reason
ve, that he proceeded to that place immediately
e had perpetrated the murder. A gentleman, who
sent at the examination of the body by a surgeon,
tended the coroner, declared, that the skin which
the cranium, and the muscles on each side of the
ere mortified to the bone. The left eye had been
out, and the left cheek-bone with the roof of the
broken in; from which it is evident she had been
ed by repeated blows on the head with a bludgeon,
other heavy wooden instrument. It appeared also,
e had received a severe blow upon her right thigh,
r knee, which was mortified to the bone, leaving
but the muscles which move the leg. The horror
by this atrocious deed was greatly heightened by
sideration that the unhappy victim was, at the time,
advanced state of pregnancy. The surgeon (Mr.
r) above mentioned, having opened the body, took
it a fine female child, nearly at its full growth.

Robinson was immediately apprehended, on sus-
pf being the murderer, and committed to the Castle,
April 2. His trial came on, Friday, July 17, 1807,
before nine o'clock in the morning, and the Court
wded long before the judge (Mr. Justice Chambre)
s seat upon the bench. Mr. Raine opened the case,
part of the prosecution, with great distinctness and
n. The indictment charged the prisoner with the
murder of Susannah Wilson, by inflicting on her
vers mortal wounds, by means of a hatchet or other
ent, on the 16th of February last.

Elizabeth Green stated, that she lived at Guisborough, and was acquainted with the deceased, who was her cousin, and who went to live with John Robinson some time before May, 1806: in November following she came to her house, where she remained until the 16th of February, when she left their house to meet the prisoner. The witness was proceeding to relate some conversation which she had with the deceased, but the Court interfered, as it could not be received as evidence. The witness then proceeded to state, that her cousin never returned, and that no intelligence or information respecting her was received until about six weeks after, when she saw the dead body at Mickleby, on the 28th of March. On her cross-examination, she said, that as soon as the deceased was missing, suspicion fell on the prisoner, as being the cause of it; which she accounted for, by stating that her cousin, before she left her house, said, "If any harm came to her, it would be from nobody but Robinson."

William Terry stated, that he was servant to the prisoner in February last, and entered his service about eight weeks before Martinmas, 1806; that Susanna Wilson, the deceased, was then living with the prisoner as servant, and that she left his service in about six weeks after he went, on account of her being with child. He proceeded to state, that, on the 16th of February, his master came to him about five o'clock in the evening, in his usual working dress, and said he was going to Staiths, a distance of four miles, to receive some money which was owing to him, and that he should not return until the next day: witness dissuaded him from going, the night being rainy. This witness proceeded to state, that on the 21st of March, a week before the body was found, his master told him to cut some thorns, while he (the prisoner) made a sledge-road (which is done by removing the hedge, and filling up the ditch to the surface of the earth with sods and earth). The witness was so situated when he was cutting the thorns that he could not see the prisoner, owing to the interposition of a rising ground: this spot was fixed on by his master. When his master had finished the road, he called to the witness, and said he had thorns enough cut, and desired him to come and look at his

ob. Witness went, and his master asked him if it was not a good job? To this he made no answer. The witness was here asked, if he thought this road was necessary or useful? To which he answered, that, in his opinion, it was of no use at all. The witness proceeded to state, that his master made a short channel, to prevent the water from undermining the road. After the road was finished, they brought the thorns on a sledge over the road which had been just made, and which, of course, left the marks of the sledge on the road. Witness was asked, whether he had assisted in making the road? He replied he had not. This witness proceeded to state, that on the 27th of March the body of the deceased was found; that he was from home that day, and when he returned in the evening his master said to him, they have found the girl where we made the road. Witness said, "He had never made a road since he entered his service." To this the prisoner made no reply. Witness went next day to Mickleby, and there heard that it was reported that he had assisted his master in making the road. When witness returned home, he asked his master why he had said that he had helped him to make the road? his master replied, "You must say so, or they will say I have murdered the girl." Witness made no reply to this observation. A letter was shewn to the witness, which he said was given to him by his master's wife, on Monday last, and believed the writing was his master's. The letter was then read. It began by requesting the witness to do what he could for the prisoner, and suggested to him various circumstances which he was to swear to, which the writer said were in his brief, particularly that he, the prisoner, had advised with the witness about the making of the road; that he had called to him when it was half done, and that they had both agreed that it would be very useful; that they carried two waggon-loads of whins over the road; that there was a hole, which it was very useful to cover over with whins; and that many people might have gone that way, and have seen nothing. The letter concluded with bidding the witness to recollect what he had sworn before the magistrates, and also contained the following remark-

able expression:—"If you can get me over this road-making, I have nothing to fear."

William Terry, the same witness, denied every point he was instructed in this letter to assert. His master never consulted him about the road, nor did he ever say it was useful, or come to his master when it was half finished; nor was there ever any waggon-load of whins carried over this road; nor was it ever used, except for the purpose of conveying two small sledge-load of thorns over, which he could easily have thrown over the beck: nor did he know any thing of any hole that it was useful to have covered with whins. Witness thought his master's rent-day was within a day or two of the 16th instant.

William Pearson said, that he lived at Staiths, and that the prisoner came to his house after nine o'clock in the evening of the 16th instant, and remained there until one o'clock in the morning. Witness said to the prisoner, if my wife had not got her bed you would have been too late. The father of the preceding witness said the prisoner slept all night at his house. Both these witnesses stated that the prisoner was perfectly sober: they could not speak positively as to the prisoner's dress, but thought he had a great coat over his working dress.

James Redman proved, that the prisoner was at Ellerby at nine o'clock on the night of the 16th of February. Ellerby is only a mile from the prisoner's house, on the road to Staiths. The next morning the witness saw Robinson, who said, in answer to a question from the witness, that he was at Ellerby at nine o'clock the preceding evening. Witness observing that the prisoner looked rather disordered, asked him if he had not being getting drunk? Witness acknowledged that he had had a good drink at Pearson's, the former witness.

William Harrison, a mole-catcher, stated, that he remembers going to Robinson's farm, on the 17th instant, and saw Robinson on the top of the quarry, with hedging-bill and mittens in his hand. Witness was going towards the prisoner: Robinson said, are you among your traps? Witness replied, he was, and was coming into his premises, and

ked if there were any moles below the quarry. Witness aid there were not, and requested him to set all his traps in is corn-fields, and at the same time desired him to assist im in driving four sheep into the corn-field; with which equest he complied, but said the sheep returned immeiately into their former situation. On his cross-examinaion, he admitted that that was the most proper season to et mole-traps among the corn.

Mr. Hall Coverdale lives near Mickleby; was at Staithe n the evening of the 16th of February; the evening was iny. On the 28th of March (Good-Friday) witness, ccompanied by several others, searched for the body of he deceased among the peat-holes of the moor. In their earch they entered the grounds of the prisoner, when their ttention was directed to a new road, which appeared to ave been recently made, particularly as it did not appear o be of any use. The body was discovered by one of the party thrusting a stick into the ground, which brought up part of a woollen petticoat. On removing the earth and ods the body was found, rather slightly covered with whins; nd it was the witness's opinion, that no person could have made this road without discovering the body. He also described, with considerable minuteness, the position in which the body lay: it was deposited in a cavity, hollowed out by a current of water, about a yard in depth where the feet lay, and three-fourths of a yard where the head lay; the soil and sod which lay immediately upon the body appeared exactly similar to the *higher* part of the road nearer the surface, and seemed to have been laid there at the same time. This witness also stated another very material fact, that the marks of the sledge were visible on the road, and on that part of it which lay immediately over the body when they began to open the ground, which clearly demonstrated that the body must have been deposited there before the road was made, as the sledge was taken over it, and left the marks upon it as soon as it was finished. The road was composed of sods and earth: no stones were used. The witness assisted in removing the dead body. On his cross-examination, he persisted in declaring it as

his opinion, that no person could have formed the road without discovering the body, and that he observed a new cut, which served to take the water from the body.

Joseph Haggart was also present when the body was found, whose evidence was the same in substance as that of the preceding witness.

Thomas Petty, who was also present, strongly corroborated the testimony of the two preceding witnesses, and also described the place from which the sods of earth were taken; and said, that those which were nearest the body seemed to be of one sort with the rest of the road, and to have been laid there at the same time.

The three last witnesses all agreed in stating, that the road, in their opinion, was perfectly useless, and that no person could have made it without discovering the body, which lay immediately under it.

Thomas Petty, one of the former witnesses, who is a constable at Mickleby, stated, that he went on Easter-Tuesday, the 31st of March, at the request of the Magistrates, to measure some part of the prisoner's farm, and that for this purpose he had a rope coiled round his arm. The prisoner, when he came in, seemed agitated, and his wife said to him, "She hoped he was not going to confess what he had never done;" that prisoner made no answer. On the same night the witness apprehended him, the prisoner made no attempt to escape, though he was well aware of the suspicions which were entertained of him. The witness proceeded to state, that, on Thursday, the prisoner being in his custody, he was seated on one side of him, and the prisoner's wife on the other; when the wife, in a whisper, said, "One has been here, who said, if you would keep your own counsel, they could not hurt you." The prisoner wished her to be silent, and no more was said.

Mr. John Fletcher, a surgeon, at Guisborough, stated, that on Saturday, the 29th of March, he examined the body of Susannah Wilson, at Mickleby; that he found the skull fractured in several places, one of which, on the right side, was attended with a considerable depression upon the

brain: this he believed to be the immediate cause of death. The left eye was completely removed from the socket, the upper and lower jaw fractured. He could perceive no bruise on the chest or abdomen, excepting a considerable tumefaction, the cause of which, on opening the body, arose from the enlarged *uterus*. He made a section in that organ with his knife, from which he extracted a *fœtus*, or female child; from its size and position in the womb, he believed it to have been upwards of eight months growth. The body had received a deep wound on the inner part of the right thigh, a little above the knee, of about three inches in length, and two in depth. The body had received various bruises on the arms, legs, and thighs. This gentleman likewise stated, that he thought the body could not have been buried more than a week, or it would have been in a much more putrid state; he thought that the cold and snow might have preserved the body in the state in which it now appeared, for the space of five or six weeks. He also stated, that the left eye was removed from its socket, which he supposed to have been done, either by vermin, or by birds of prey.

John Harrison, Esq. a magistrate of Guisborough, has been in the habit of making observations on the state of the weather, which was generally cold, with snow, from the 18th of February, to the 20th of March. The moon, on the 16th of February, was in her first quarter. This gentleman also took the examination of the prisoner; first cautioning him that he was under no necessity of answering any questions which might tend to criminate himself. The examination was then put in and read: it stated in substance, that about six o'clock in the evening of the 16th of February, 1807, the prisoner set off from his own house to proceed to Staiths, to receive some money which was owing to him; went into his field, and saw that his sheep had strayed; saw a gate a little open? followed after the sheep a considerable way, and that it was a fine moon-light night, the moon being near at full; then returned and mended a gate, and then went to Staiths, where he remained all night. He proceeded to state, that, on the 21st of March, William

Terry and himself went to Quarry Bank, and after viewing the place, both of them thought the best way would be to make a sledge road, which they did. This document closed the evidence on the part of the prosecution, and the prisoner being called on to make his defence, said, "I leave my defence to my counsel."

The counsel for the prisoner called Elizabeth Long and Mary Forest, who represented the prisoner as a humane and good-tempered man.

His lordship summed up the evidence with great perspicuity, and commented upon it as he proceeded, observing, that it was a circumstance very favourable to the prisoner, that he had not attempted to fly from justice, though he knew that strong suspicions were entertained of him, and he was sure the jury would give it all the weight in their consideration, which it was entitled to. Two witnesses had also spoken very favourably of his character, and, in a doubtful case, character ought to have a great weight. The fact of the murder it was impossible to question. The evidence on this point was irresistible; and the only question was, whether the prisoner was the person who committed the murder? To establish this, a variety of circumstances were laid before them, and it was their province to decide, whether, taken altogether, they formed that strong proof of the prisoner's guilt, as to leave no reasonable ground for doubt? Of this chain of evidence, the most material circumstance was that which related to the making of the road over the body of the deceased: all the circumstances connected with this fact demanded their most serious and minute attention; and on this part of the evidence, the important question was, did the prisoner, at the time he made this road, know that the body of the deceased was deposited there? for if he knew this fact, and made no discovery, it was, he thought, difficult to resist the inference that he was the murderer; and the prisoner himself was well aware, that this inference would be drawn; for, in the very extraordinary letter he sent to his man, William Terry, he says, "If you get me over that road-making, I have nothing to fear." Indeed it was hardly

possible that a person, conscious of his innocence, would have prompted a witness what he should swear, particularly that he should instruct him to utter direct falsehoods. The jury had heard the witness, William Terry, examined on this subject, and they would judge of the weight it ought to have in influencing their verdict. Another very important point for the consideration of the jury was, the method in which the prisoner had attempted to account for the manner he employed his time from six o'clock until nine o'clock on the night of the 16th of February, which was probably the time when the deceased was murdered. This account is contained in the prisoner's examination before the magistrates, which his lordship read to the jury. There was one assertion directly contradicted, that it was a fine moon-light night, and that the moon was near the full; when it was in evidence, that it was rainy, and that the moon was only in her first quarter. His lordship said, that other parts of his examination, as to his going to Staiths to receive some money, according to the evidence given by the witness Pearson; but there were three hours, the employment of which was very material for the prisoner to have accounted for: he was seen at nine o'clock at night at Ellerby, only a mile from his own house, though he had left at six o'clock in the evening; the jury would consider how far the account he had given of it was satisfactory. His lordship then shortly commented on the expressions of the prisoner's wife—"You are not going to confess what you did not do." One said, "If you would keep your own counsel, you are safe;" and on the eagerness the prisoner evinced to prevent the mole-catcher from proceeding to the quarry, and his acknowledging that he had been drunk, contrary to the fact, by way of accounting for his unusual appearance.

The learned judge concluded by conjuring the jury to give the whole of the evidence the most mature deliberation; and if, on a serious review of the whole of the circumstances, they thought there was reasonable ground for doubt, to acquit the prisoner; if, on the contrary, they were sufficient to produce a full conviction that the murder

was perpetrated by him, it was then a duty they owed to themselves, to the country they represented, to the safety of every individual, to declare that conviction, by finding the prisoner guilty. His lordship expressed it as his opinion, that the body had not been originally deposited in the place where it was found, but had probably been removed there for more effectual concealment.

When the jury were going out of the box, the judge desired them to take as much time as they thought proper to deliberate on their verdict. The jury remained out of court near an hour, and when they returned, pronounced the fatal verdict of *Guilty;* and the judge proceeded to pass the awful sentence of the law upon the prisoner; who, on being asked the usual question, what he had to say why sentence of death should not be passed upon him? said, with much apparent solemnity, "Indeed I am not guilty of this murder: Almighty God knows that I am innocent: you may, indeed, kill the body, but cannot destroy the soul; and ere long, the real murderer will be brought before this bar. My servant-man has sworn what is not true. I was a friend to him when he was destitute, and he has taken away my life. I never hurt any one. I was always reckoned by my neighbours a kind and a tender-hearted man."

His lordship, with the most impressive solemnity, addressed the culprit in nearly the following terms:—

"Prisoner, after a long and impartial trial, before a jury who have taken great pains to investigate every circumstance of your case, you have been found guilty of wilful murder—Murder, which is one of the most dreadful of crimes, is, in your case, heightened with peculiar and uncommon circumstances of aggravation and horror; for it was committed with deliberation on an unprotected and pregnant female—pregnant, there is every reason to believe, by you, and who had every claim to your protection; who was likely soon to become a mother; who had undertaken, at an inclement season of the year, a long journey to meet you, hoping and expecting to find in you a protector and a benefactor: but she found in you a savage, a barbarian, and a murderer, who destroyed, together, the unfortunate victim you seduced,

and your child. You hoped to have concealed for ever from human observation this bloody deed; but, by the just providence of God, the very means you adopted to conceal your crime were the causes which led to a discovery, and furnished the surest evidence of your guilt. A crime of such dreadful enormity precludes the possibility of mercy, and I would most earnestly exhort you to spend the few remaining hours you have to live, in fervently supplicating the Divine mercy! It now only remains that I pass upon you the last and awful sentence of the law—That you be taken to the place from whence you came, and from thence to the place of execution, and the Lord have mercy on your soul."

The prisoner was then taken to the condemned cell, where he at first behaved with some violence, continuing to assert his innocence in the strongest terms; and on the two following days he continued to deny all knowledge of the murder; but he became more composed, and spent much of his time in reading and prayer. He was assisted in his devotions by the Ordinary, the Rev. George Brown.

On Sunday, his wife took her final leave of him, in a manner more easy to conceive than describe.

On the morning of execution he made a full confession of his guilt to two men who sat up with him during the night, and afterwards to the Ordinary, describing the circumstances under which the horrid deed was committed. From this his confession, it appears, that the unfortunate victim to the prisoner's lust and cruelty met him on the night of the 16th of February, according to appointment, on his own grounds, near the spot where the body was found: the prisoner and this ill-fated young woman walked together near an hour, conversing on the subject for which she had met him: During this conversation, though he had met her fully determined to effect her death, he more than once relented of his cruel purpose: he, however, resisted these compunctuous visitings of nature, and fortified himself in his bloody purpose. About eight o'clock they sat down together in the Quarry, Hillfield, when the deceased reclined upon her hand, lamenting in the most

affecting terms her unhappy situation, unconscious of the fate that awaited her. At this moment, the prisoner stole unobserved behind her, and, with an axe he had previously furnished himself with, gave her a mortal blow on the back of the head, which penetrated through the skull to the brain, and instantly killed her; but the prisoner, to make more sure of the bloody deed, mangled her dead body with the murderous axe, inflicting now on her lifeless corpse many deep wounds; and the body was then deposited by him in the place where it was afterwards found covered with whins; a fall of snow rendered it neither safe nor necessary to do more for the present; but the thaw which succeeded, about the 18th of March, rendered it incumbent to conceal the body more effectually, which was attempted to be done in the manner stated on the trial.

The prisoner, after his confession, seemed relieved of a great weight: he received the sacrament, and the ordinary said, he never witnessed so great a change in any criminal.

About eleven o'clock, on Monday, July 20, 1807, the sheriff, accompanied by his attendants, went to the castle to demand the prisoner, and in a few moments after he appeared, accompanied by the clergyman and the officers of justice on the new drop, before York Castle. The unhappy man seemed extremely agitated, and trembled excessively: after joining in prayer with the ordinary, he prayed by himself for a few moments with great earnestness. The executioner proceeded to do his office, and in a moment the fall of the platform terminated his mortal existence.—He died instantly.

EXECUTION OF THE LUDDITES AT YORK.

A Number of these misguided men, who had long kept the northern parts of the kingdom in alarm, by the most atrocious excesses, were at length brought to condign punishment.

A special commission was issued for their trial, and which was opened by Baron Thompson at the city of York, on Monday the 4th of January, 1813, in a most impressive charge to the Grand Jury.

On Tuesday, the 5th, the Court proceeded upon the trial of John Swallow, John Batley, Joseph Fletcher, and John Lamb, for a burglary and felony in the house of Mr. Samuel Moxon, at Whitley Upper: the jury pronounced them all Guilty.

The system of atrocity pursued by the Luddites being known to every individual, we hold it needless to enter into a detail of the evidence addressed against them, which, throughout the whole of the important trials, were nearly to the same effect—administering false oaths,—riotously assembling—destroying the frames and looms of manufacturers of cloth, breaking into houses, robbery, and murder. We shall, however, proceed more particularly to state the cases marked with blood.

On Wednesday, George Mellor, of Longroyd Bridge, William Thorp, and Thomas Smith of Huddersfield, were indicted for the wilful murder of Wm. Horsfall, of Marsden, merchant and manufacturer, at Lockwood, in the West Riding of the County of York.

It appeared from the evidence of John Armitage, who keeps a public-house at Crossland Moor, called the Warren House, that Mr. Horsfall had, on the 28th of April, been at Huddersfield market, and on his return called at witness's house about a quarter past six in the evening; and got a glass of rum and water, treated two persons who were there, paid his reckoning and rode away—did not stop 20 minutes at witness's; nor did he get off his horse. Between witness's house and Marsden, there is a plantation belonging to Mr. Radcliffe, and about a quarter of a mile from Warren House. About seven o'clock, witness heard that Mr. Horsfall had been shot. Witness and the two persons whom the deceased had been treating went out together and found Mr. Horsfall about twenty or thirty yards below the plantation, sitting on the road side, bleeding very much. They

got him down to the Warren-house as soon as they could. Mr. Horsfall died there.

Henry Parr was at Huddersfield on the 28th of April last; was upon the road between Huddersfield and Marsden; and, after he had passed the Warren-house, heard the report of fire-arms; saw a person riding before him; report seemed to come from Mr. Radcliffe's plantation; saw smoke arising at the same time, and four persons were in the plantation in dark coloured clothes; the person who was before witness on horseback, after the report, fell down on the horse's chine, and the horse turned round as quick as possible; Mr. Horsfall raised himself by the hores's mane, and called out, "Murder." As soon as he called out murder, one of the four men got on the wall with one hand and two feet, and Parr called out, Have you got enough yet; and he (Parr) set off to Mr. Horsfall at full gallop. Mr. H. said, "Good man, you are a stranger to me; I'm shot." Mr. Horsfall grew sick; and blood began to flow from his side. Mr. H. desired witness to go to Mrs. Horsfall's.

Bannister, a clothier, met Parr on the road, who told witness that Mr. Horsfall was shot. Witness found Mr. H. on the road-side very bloody.

Mr. Horton, surgeon, gave his testimony professionally—he extracted a ball from the deceased, and found several wounds in his body, and had no doubt they were the cause of his death.

Benjamin Walker, an accomplice, stated that the prisoners, George Mellor and Thomas Smith, worked with him at Wood's; and, in a conversation about the attack on Mr. Cartwright's mill, Mellor said there was no way to break the shears—but shoot the master. Mellor had a loaded pistol, and said he must go with him to shoot Mr. Horsfall. The pistol was loaded. Witness and the three prisoners went to the plantation. Smith had a pistol, which he shewed to the witness. Smith and Walker went together, and got to the plantation first—Thorp and Mellor came afterwards. George Mellor ordered witness and Smith to fire, if they missed Mr. Horsfall; witness did not fire, but heard Mellor

say Mr. Horsfall was coming, and soon after heard the report of a pistol; they waited at a short distance till the job was done.

The prisoners attempted to prove an *alibi*.

The jury withdrew about 25 minutes, and returned a verdict of Guilty against all the prisoners.

On Friday these wretched men were brought to the place of execution behind the Castle at York. Every precaution had been taken to render a rescue impracticable. Two troops of cavalry were drawn up near the front of the platform, and the avenues to the Castle were guarded by infantry.

A few minutes before nine o'clock, the prisoners came upon the platform. After the Ordinary had read the accustomed forms of prayer, George Mellor prayed for about ten minutes. William Thorp also prayed; but his voice was not so well heard. Smith said but little, but seemed to join in the devotion with great seriousness.

The prisoners were then moved to the front of the platform; and, after saying a few words, the executioner proceeded to perform his fatal office, and the drop fell.

On the 8th, John Baines the elder, John Baines the younger, Zachary Baines, of the same family, the elder near seventy years of age, and the latter scarce sixteen, John Eadon, Charles Milnes, William Blakeborough, and George Duckworth, all of Halifax, were tried for administering an unlawful oath to John Macdonald; and all, except the boy, were found guilty.

January 9.—James Haigh, of Dalton, Jonathan Deane, of Huddersfield, John Ogden, James Brook, Thomas Brook, John Walker, of Longroyd Bridge, and John Hirst, of Liversedge, were tried for attacking the mill of Mr. William Cartwright, at Rawfolds. Mr. C. being apprehensive of an attack being made upon his mill, procured the assistance of five soldiers; and retired to rest about twelve o'clock, and soon afterwards heard the barking of a dog. Mr. C. arose; and, while opening the door, heard a breaking of windows, and also a firing in the upper and

lower windows, and a violent hammering at the door. Mr. C. and his men flew to their arms; a bell placed at the top of the mill, for the purpose of alarming the neighbours, being rung by one of his men, the persons inside the mill discharged their pieces from loop-holes. The fire was returned regularly on both sides. The mob called out, "Bang up lads, in with you, keep close; d—n that bell, get to it, damn 'em, kill 'em all." The numbers assembled were considerable. The attack continued about 20 minutes. The fire slackened from without; and they heard the cries of the wounded. The men that were wounded were taken care of. They afterwards died. One of the accomplices, W. Hall, was one of those connected with Mellor and Thorp, and assembled with many other persons, by the desire of Mellor, in a field belonging to Sir George Armitage, Bart. on the night of the 11th of April last. They called their numbers, remained there some time, and then marched off: Hall's number was seven. Mellor commanded the musket company, another the pistol company, and another the hatchet company: they were formed in lines of ten each. Two of the men were to go last, and drive up the rear.—Some had hatchets, some hammers, some sticks, and others had nothing.

Another accomplice gave a similar testimony.

The jury found James Haigh, J. Dean, John Ogden, Thomas Brook, and John Walker, Guilty—James Brook, John Brook, and John Hirst, Not Guilty.

January 11.—J. Hay, John Hill, and William Hartley, were next tried for a burglary in the house of Mr. George Haigh, of Sculcoates; and found Guilty.

On Thursday the Grand Jury, after stating they had no more bills before them, inquired if any more were prepared.—Mr. Parke said—"I shall, with leave of the Court, answer the question put by the Grand Jury." Their Lordships intimated assent, and Mr. Parke proceeded:—"My learned friends and myself have examined the different cases which have been presented to you; and, considering that many of these people have acted under the influence

of other persons, we have, in the exercise of that discretion confided to us by the Crown, declined, at present, to present any other bills before you, and I hope this lenity will produce its proper effects; and that the persons on whom it is exercised, will prove themselves, by their future good conduct, deserving of it. But if it be abused, proceedings against them can be resumed."

January 12.—James Hay, Joseph Crowther, and N. Hayle, were found guilty of taking from James Brook, a promissory note of one pound, and some silver and copper coin.

Several prisoners, were, through the lenity of government, admitted to bail, on their entering into recognizances, the prisoners in 200*l.* each, and their bail in 100*l.* each.

Mr. Baron Thomson then passed sentence on the prisoners.—Fifteen were sentenced to death; six to be transported for seven years; sixteen were discharged on bail; and sixteen were discharged without bail.

On Saturday, the following malefactors convicted before mentioned were also brought to the same place of execution, at different times, viz. at eleven in the forenoon, John Hill, Joseph Crowther, N. Hayle, Jonathan Dean, John Ogden, Thomas Brook, and John Walker, were placed upon the scaffold. Many of them, after the clergyman had repeated, "The Lord have mercy upon you," in a very audible voice articulated, "I hope he will." The bodies, after hanging till twelve o'clock, were then cut down.

At half-past one o'clock, John Swallow, John Batley, Joseph Fisher, William Hartley, James Haigh, James Hey, and Job Hay, were also executed. The conduct of the prisoners was becoming their awful situation.

WILLIAM MARSH AND WILLIAM BACON,

Executed for stealing Three Oxen from East Knoyle Meadow, in the County of Wilts.

THESE offenders were put upon their trials at Salisbury, on the 13th of March, 1804, before Sir Alexander Thomson, Knt. and a respectable jury of the county of Wilts.

Thomas Shears being sworn, stated, that he is bailiff to Mr. Grove, and that the three oxen stated in the indictment, with another which had been left behind, were sent to pasture in East Knoyle, summer leaze, about the latter end of July, or the beginning of August, of last year. He had known the four oxen about four years, which had been worked, and were lean at the time of their being sent. Mr. Grey had the care of the cattle which were sent thither for pasturage; and the witness some time after heard that three of these oxen were lost, and on the 15th of October following saw them in the Green-yard, in the Borough. He described them by their marks to identify their being the property of Mr. Grove, and the oxen which had been lost, as already stated.

James Grey was next called to prove the receipt of the four oxen as agistment cattle, and that he saw them in his meadow on the 18th of September, but had been hindered by business from visiting the meadow again till the 24th. The three oxen, which he particularly knew, were then missing, having almost daily noticed them, excepting the interruption at the time of their being lost; and fully corroborated the description of the bailiff.

Thomas Birt, who kept the Wheat-sheaf, at West Lavington, which is about sixteen or eighteen miles from East Knoyle, related the coming of the prisoners to his house on the morning of the 20th of September, and continued there from ten o'clock until one, on account of its being very rainy weather. He was very particular as to the description of the oxen, and of their being fed in a back

yard in preference to a front stable; and observed that the oxen seemed much fatigued, which they accounted for by saying that they had come from Warminster, whither they had been brought by a gentleman's servant from Devon, and were going to Windsor, as a present to his Majesty. This witness, in the course of conversation with the prisoners, observed, that the cattle had no remarkable properties in them, and, being lean, and out of condition, was surprised that any gentleman should offer cattle of such a description to the king, or that he would accept them; to the latter remark they answered, that his Majesty would accept any thing, with other language which had better be suppressed than repeated. It was farther remarked by the witness, that three oxen was a very strange number, and that two or four were more likely to be sent on such a business; when they said that one of them had been taken ill. They pretended that they were in the King's employ on the farm, &c. as his servants; and the witness, during their three hours stay, had often gone into the yard while the oxen were feeding, which he had particularly noticed, as well as the prisoners, and fully described the oxen, and is certain of the identity of the men. He had seen the oxen afterwards, on the 24th of October, in a stable-yard in Blackman-street, in the Borough of Southwark, and immediately knew them; and at this time both the prisoners were in custody at Union-hall, whom he also knew to be the persons he had just been speaking of.

Some delay was occasioned in the early part of this evidence, from the necessity of identifying the prisoners, as Bacon had his face nearly hid, and appeared to be much disfigured and tender from an inflammation, St. Anthony's fire, or some other disorder similar to a bad eruption, which is often seen on the face of children. On this, the surgeon to the county gaol was sent for, to state his opinion whether any serious danger was to be apprehended from uncovering his face, as it was absolutely requisite that the witness should see it; and, after examination, he observed, that for a short time, and being covered again before he left the court, there was no reason to suppose it could be

injurious. The witness was now very positive, that he was one of the persons who brought and took away the oxen, on the 20th of September, and that Marsh was the other; and further added, that Marsh appeared to be very drowsy, whilst at his house, and less disposed to talk than the other. He gave an account also of many other particular and minute circumstances relative to the persons and conduct of the prisoners, as well as the oxen in their possession, which proved that he had taken particular notice of them; and his cross-examination only served to corroborate more fully, by the addition of many lesser occurrences, the evidence already given.

William Collingbourn, who is a police-officer at Union Hall, in the Borough of Southwark, stated, that notice of these oxen had been given to the office, as missing from the country, and that he went accordingly, on the evening of the 25th of September, in search of them, which he found on going to the hovel of a cow-keeper, near the Spread Eagle, at Lambeth, having heard that some oxen, answering the description, were there kept for the night. This was on the Sunday evening next after they were driven off, and had passed through Lavington, and the very day after they had been missing from Mr. Grey's meadow at East Knoyle. The probability of their being taken to Smithfield market next morning, occasioned this witness and a brother officer, to watch the whole of that night; and he described the situation, which was such as to enable him to see into the hovel, as the boards were rough and not very close. It was not till about five in the morning, that the two prisoners came to the hovel for these beasts, and, after muttering something about *a key*, or *the key*, broke open the door. On finding that one of the oxen had laid down and was dirty, they washed it with a pail of water; and, before the prisoners had time to drive them off, the witness, and his brother officer, entered the hovel, and secured them. They were then questioned to whom the oxen belonged, when Bacon said that they were his sisters, with a great deal of improbable matter, of which they took little notice, but to remark its inconsistency with the information which had

been given at the office. They were then taken to Union Hall, and the cattle were left in the care of another person; from which time, till the 24th of October, he had daily attended to see them fed in the Green-yard. The prisoners are the very men who came to the hovel. On the day last mentioned, the oxen were delivered to Mr. Shears, the bailiff of Mr. Grove, the first witness. On his cross-examination it appeared, that he had assisted in driving the oxen to the Green-yard, in about an hour after the apprehension of the prisoners.

John Lane, the other police-officer, stated by the last witness, did not see the oxen on the evening of the 25th of September, but joined his brother officer to watch during the night, and distinctly corroborated Mr. Collingbourn's statement of all the occurrences of the following morning. During this evidence, the prisoner, Bacon, dropped down, as in a fit, and was obliged to be taken out of Court into the fresh air; on which the surgeon was again sent for, and nearly an hour spent in exertions to revive him, before he could be brought in again, for the trial to proceed. All this time the Court had been kept waiting, and the trial suspended; and on his return, a chair was provided, in which he was permitted to sit during the remainder of it. When the trial was resumed, the witness proceeded to state, that Bacon declared to him, that he had brought them from near Henley upon Thames, with a long fabricated story, wholly contradicting every thing they had said before. On his cross-examination, he produced a direction or address to a salesman in Smithfield, which had been found in Bacon's pocket, on his being searched.

The next witness was Daniel Davis, the cow-keeper before mentioned, who lived in Fore-street, Lambeth. He stated, that he saw the prisoner, Bacon, on the morning of the 24th of September, which was Saturday, and the fourth morning after they had passed through Lavington, which is about 105 miles from London. At this time Bacon requested leave of Mr. Allen, another cow-keeper, to put in three oxen for shelter, who answered, that he could not accommodate him: he then applied to the witness for the

same purpose; who, on an enquiry whether Mr. Allen knew him, was answered, that he had known him with Mr. Mumford, a cow-keeper, near Kennington common, which induced him to grant leave for a few hours. They were soon after brought thither, when Marsh, the other prisoner, was with him: they then bought some hay for them, and fed them; after which the witness locked the door, and the prisoners went away. In the same hovel was a little poney belonging to the witness, who saw no more of either of them until about five o'clock in the afternoon, when Bacon came and desired they might remain until Monday morning, to go to Smithfield; to which the witness consented. On Sunday afternoon Bacon bought another truss of hay to feed them, and gave the witness three shillings, at the public-house, for his accommodation of the oxen; then it was agreed that the key should be sent to them at five o'clock the next morning. He saw no more of them till nearly a month after, at Union Hall.

Henry Barber, a butcher, in St. George's-market, St. George's-fields, in the next place stated, that he was applied to by Bacon in the morning of Saturday, September the 24th, about half-past nine. Bacon told him, that he had a bargain for him; but as the witness was then going to Newgate-Market, he could not accompany him. On Bacon's saying, that it would put five pounds in the witness's pocket, he agreed to go, though he did not know whither; but as he had before known Bacon, he went with him, and, on their way towards Lambeth, the conversation rationally turned upon the nature of the bargain, and other circumstances connected with it. The prisoner, Bacon, in answer, informed him, that the oxen had been brought from Kingstone upon Thames, and were brought from a farm there to prevent their being seized in execution. When he saw them, he remarked that they were working oxen, and totally unfit for a butcher, and therefore he could not buy them. He added, that Bacon offered them for fifty guineas, and observed that the two largest were worth twenty pounds a piece, but not worth five pounds a piece to kill; and though he asked thirteen guineas for the least ox, the same

servation was applicable to that, as unfit for a butcher. He then recommended him to a distiller at Battersea, and left him; and about three weeks or a month after, he saw the same oxen at the Green-yard. He had also known Bacon at Mr. Mumford's, for above twelve months.

The next witness produced was George Cushen, the son of a widow woman, who kept the Spread Eagle public-house, at Lambeth. He deposed, that the three oxen were put into Mr. Davis's hovel, after seven o'clock in the morning; but that the prisoners first were driving them towards Mr. Allen's, and turned again in about two minutes, and in about twenty minutes more brought them to the hovel, as already stated; and that the prisoners tied them up there on the Sunday evening. Mr. Collingbourn came to his mother's house on the same evening, and enquired of the witness what he knew of the three oxen, as there was a suspicion of their being stolen; on which it was concerted what means should be pursued to secure the men, as already mentioned in his evidence.

The last witness called for was George Curtis, a salesman in Smithfield, who stated that he was at the Pewter Platter, in St. John's-street near West Smithfield, at which place he has stables, on the Sunday morning, being Sept. 25th. The prisoners were there at that time. He had seen Marsh before, and had heard that he lived in Old-street; and had got three worked oxen, which belonged to an old lady. It was then enquired how markets went; to which he answered, that good things sold well, but others not so well. On asking the witness for his address in the market, he gave them a written direction, which was found upon the prisoner Bacon in searching him, as before asserted, by Lane, the police-officer, and confirmed by the present witness. He farther advised them to be in the market between six and seven o'clock in the morning, or about seven; but they never came thither, and some days after he saw them at Union-Hall. On cross-examination, it appeared that his knowledge of Marsh was very slight; and that Marsh's knowing him could scarcely have been particular, though it might have been sufficient to induce the application to

him as a salesman, in preference to an entire stranger, supposing them to have been engaged in the most honest transaction.

The evidence being closed for the prosecutio. , the Court first called on Marsh for his defence; who stated, that he worked in a horse-hair manufactory, and that on his return from Bristol towards London, he overtook Bacon, on the road between Warminster and Lavington, driving the three oxen, when they soon agreed to travel in company together. He denied the conversation, to which the publican at Lavington had so positively sworn, about the oxen being intended for his Majesty. He said that they arrived in London on Saturday morning, and repeated how the oxen were put into Mr. Davis's premises, and that he saw no more of them until Monday morning; to which he added a pretended conversation with Bacon, when he first overtook him at a small distance from Lavington.

Bacon, on being called upon for his defence, began with stating, that he had a wife and three children; that his wife had lost the use of her limbs, though she had been long under the care of doctors, and that he now owed the doctor more than five pounds for medicines. He next observed, that he had an uncle at Pen, near Merl, in Wilts, who was a miller, and named John Cox; that he had been employed, in London, by Mr. Bishop, of St. Giles's, who is a horse-dealer, at fourteen shillings a week; that, on account of the state of his family, he had written to his uncle to assist him with some money, until he could repay him, who had returned an answer that he should have it on coming into the country; for which purpose he had been at Penmill, and received some money, but he did not say how much. He said, that he returned by Warminster, and left his uncle at the market there; that before he reached Lavington, he overtook a man by the name of Daniel Cooper, of whom he asked the road to London, who answered him that he was probably going most of the way himself. He added that they continued together about two miles, before they overtook a woman, whom he called his wife, driving the three oxen along the road; after which

they went into the first public-house to have some beer, where they agreed to give him twenty-five shillings to drive and maintain the cattle to London, and that he went on with them, whilst they remained at the house. Marsh, the other prisoner, overtook him, as he said, on passing over the Downs, and continued with him until they got to Reading, in Berkshire, where Marsh observed that a relation of his lived, and that he proposed to stop an hour or two. Having parted with Marsh, Daniel Cooper soon after overtook him, who then said that he should take the cattle to Henley fair the next day, whither Bacon, as he said, accompanied him, and attended there until two o'clock, when Cooper ordered them away to London. He added, that they continued together on the road about seven miles, when they stopped to refresh themselves and the oxen; and on his going forward, Cooper said he had particular business to detain him there some time longer, but appointed to meet on Monday morning at the corner of Hosier-lane, in Smithfield. His being known at Lambeth, he said, was the reason of his going thither. When taken into custody on the Monday morning, he pretended that he had requested permission to have the oxen sent to Smithfield according to the address, or some person to find Cooper, who was to meet him at the corner of Hosier-lane. This was nearly the particular nature of his defence, but certainly was the same in substance.

To the latter part of his observations, William Collingbourn was again called, who denied that Bacon had ever proposed to send the cattle to Smithfield, on their being detained, or to find out Cooper, by whom he pretended to have been employed. And Thomas Birt, the publican at Lavington, on being again called, said that Lavington is about ten miles from Warminster, and positively asserted that both the prisoners, when at his house, declared themselves to be the servants of his Majesty, and that both of them generally spoke and gave answers, or one nearly as much as the other.

Two witnesses were called to the character of Marsh, one of whom, named Thomas Smith, who lived in Noble-

street, Goswell-street, London, is a manufacturer of horse-hair, and taught him his business, and has known him for sixteen or eighteen years. He added, that he bore as good a character as any person in London, and that twenty persons would have appeared to speak for him, had he been nearer town. The other, named John Kingham, stated, that he is a farmer and common carrier from Esher to London, and had known Marsh for twenty years, had almost seen him weekly, and has always borne the best character. But Bacon only said, that he was at too great a distance from home to procure any person to speak for him.

Both the prisoners, after a very short consultation of the jury, were found guilty, and the awful sentence of DEATH soon after given, in the usual solemn manner, on them both. The general time of execution of criminals is usually on the Tuesday fortnight from the commencement of the assizes; but a respite was procured from the office of the Secretary of State, until the report of the Judge could be procured, for one week only, and the sentence of the law was inflicted on the criminals on the Tuesday following.

THOMAS HILLIKER,

Convicted for aiding and abetting in the Destruction of Littleton Mill in the Parish of Steeple Ashton, in the County of Wilts, in the Night of the 21st of July, 1802.

THE prisoner, a young man, who was stated to be only eighteen years of age, and apparently under twenty, was arraigned at the bar on the morning of the 8th of March, 1803, at Salisbury assizes, and gave in the usual plea, to entitle him to a fair trial, of *Not Guilty*. The counsel for the prosecution were, Mr. Dallas and Mr. Gibbs, both of the King's Counsel, and Mr. Read, the last of whom opened the

case. Mr. Dallas then began a very impressive and eloquent speech, wherein he stated the very great importance of the duty in this instance imposed upon him, and largely expatiated on the great magnitude of the crime, which, by the indictment, was imputed to the prisoner. It was a charge of the most solemn and serious nature. It was an awful one, both as it affected the public weal, and as, if it was brought home to him, it would be attended with the forfeiture of his life. It was a crime, which, for the preservation of subordination, and the peace, and even the existence of society, could not but be contemplated with horror. The necessity of an exemplary punishment, he was concerned greatly to commiserate; but, in appealing to the recollection of almost every person in that crowded court (for it was crowded in a very extraordinary manner, from the interest which was taken in the prisoner's fate in a manufacturing town) to the scenes of devastation that had disgraced the country during the preceding summer, and had endangered the very existence of society, there could be but one opinion on the subject of the present prosecution. He then adverted to the very alarming outrages which had been committed in that neighbourhood in the course of one week, from the 14th to the 21st of July, with a variety of particulars relevant to the subject on which they were then engaged. He observed that Mr. Naish, whose property had been thus wantonly destroyed, employed at least between 6 and 700 men; that this manufactory was situated in a very onesome place, and was about three or four miles from Trowbridge; and strongly pressed it to the consciences of he jury, to distinguish narrowly how far the evidence upported his remarks, and then to say, after they had eard the testimony of the witnesses for the prosecution, as aithful guardians of public tranquillity, whether the charge, ainful as it was to him to mention, and as it would be to hem to determine, should be substantiated.

Mr. Gibbs then called Mr. Ralph Heath, who stated that e resided at Littleton Mill, which, with the premises djacent, belonged to Mr. Naish. His testimony went to ow, that, in the general alarm, in the midst of a manu-

facturing country, they were not without the most serious apprehensions of danger; and that they had consequently employed people to watch the mill, and, as far as was within their power, to extend their personal protection to it. Adjoining to this mill was a cottage, in which John Pierce, with his wife, inhabited. On the night stated in the indictment, they had watched, as usual, till past twelve o'clock, when they heard some noise about the mill. This cottage did no otherwise communicate with the mill, than by first going out of the door, and afterwards entering the mill by means of another door, on the outside of the building. But they could see through an aperture, from the cottage to the mill, which was necessary to be made for the tumbling shaft, as it was called, into which the arms, and every other requisite to constitute the wheel, were fastened. He farther said, that his man opened the door, but that he held it in his hand; and that four or five persons, almost immediately, rushed into the cottage. At the very instant of their entering, a general exclamation of voices was heard; "D—n your eyes, stand;" one of which voices was known by the witness. All the persons who rushed in were armed. The first person who entered had a musket, or fusee, with a fixed bayonet: his face was particularly black; but the witness would not take upon him to say, that this offender was known to him. The next person, who followed the other, was not so black, but had a pistol in his hand, and spoke several times, as if he was under no apprehension of being known. He repeated the same words as the former, or, which was now more certainly understood, he had no doubt of its being the same voice that he knew, as speaking the words at the moment of their entrance. At that time the witness did not know his name; but he had many times observed his countenance, and was positive that he had frequently seen him at the mill, coming for cloths, and also at Mr. Naish's, at Trowbridge. He was a shearman in the employment of Mr. Naish. This was the prisoner at the bar. No sooner had they entered the cottage, than they said, "D—n your eyes, not a soul move;" and not a person was suffered to move. After they had been some time in

the cottage, and the first surprise was beginning to wear off, Pierce's wife recollected her child above stairs, which she was anxious to fetch, when the prisoner swore that she should not, and pointed a pistol at her to prevent it. Of what was transacted without door at this time, the witness could give no account. One of the persons who had entered the cottage then went out; who, to the best of his recollection, he believed to be the little man that first rushed in. He merely went to the door, and said, "Make haste, my lads," and immediately returned again into the cottage. The witness at this time imagined that these speeches had a reference to their setting fire to the mill; and, in a very little time afterwards, some person, but who it was the witness could not say, looked in at the cottage-door, and said, "Let the woman have her child." A light was very soon after perceived in the mill, which was then on fire. During all this time, the prisoner's features had been minutely observed; and though he did not then know his name, he has no hesitation as to his person. Having ascertained this, prudence suggested the propriety of dropping his hat over his face, that he might not be suspected of watching them. They remained in the cottage about a quarter of an hour, to the best of his recollection and judgment, though he might not be correct as to a few minutes. After they had left the cottage, and the witness had supposed them to be gone, he opened the door, with an intention of going out; but at this time there was a man, whom he did not know, in a posture of standing near the mill-door, who, on seeing him, instantly levelled a piece at him, and swore "that he would blow out his brains if he did not return." In a little time afterwards, he again opened the cottage-door, when no person was to be seen. The mill was now on fire. Adjoining to the cottage is a mead, to which he then went, and remained there a short time; and, from a field very near it, at that time heard a shout, seemingly of a considerable number of people; but after this he heard no more of them. The mill was entirely destroyed.

It should be observed, that the witness was guarded in the

cottage while the measures were taken to set fire to the mill, and that the door was watched by several persons having bayonets. It appeared afterwards, also, that the witness again saw the prisoner on the 1st of August, which was ten or eleven days after, at Mr. Naish's shop, at Trowbridge; at which time Mr. Chubb, clerk to Mr. Naish, was present, for the express purpose of observing twelve or fourteen shearmen, one after another, who were employed by Mr. Naish to carry made-up clothes for the waggon. It was towards the east that the prisoner came, whom he knew immediately to be the person assuming the character of guarding the cottage with the pistol. He was afterwards identified by the witness at the barracks at Trowbridge, when in custody.

The importance of the case was deemed of a magnitude, to justify the retaining a man of the first talents in the defence of individuals against criminal charges. Mr. Garrow, on a fee, as it was said, of 300 guineas, was the counsel selected upon this occasion. It fell to his lot to cross-examine Mr. Ralph Heath. After several very pointed observations on the necessity of positive evidence, he asked Mr. Heath how long he kept his hat over his eyes; to which it was replied, about five minutes. To other questions, it was answered, that he was much distressed for his family, his loss, &c.; and it appeared that, after he had seen the prisoner at Mr. Naish's, at Trowbridge, he was taken into custody, in which situation he saw him on the day following. He had no doubt that the prisoner, as well as the others whom he saw at the shop at Trowbridge, were then in the employment of Mr. Naish, and was fetching clothes for the waggon, just as all the others were. He then came to the nature and extent of the rewards which had been offered for discovering any of the incendiaries; but Mr. Heath replied, that he had then seen no papers, and had heard of no rewards, though he had since accidentally heard of them. Until after he had left the country, he had neither seen the London Gazette, nor any other papers offering such rewards; but he had then seen a paper in London which stated them. This afterwards appeared to be a Bath news-

paper. It appeared also, in the cross-examination, that the wife of Pierce was allowed to get her child, and to go out of the cottage, but that all the other persons in the house were prevented. He then added, that Daniel Goodenough and Stephen Richardson, as well as John Pierce, who were servants under him in Mr. Naish's employment, had been engaged to watch in the cottage; that they were guarded in it, as well as himself, but had no bandages or any thing else over their eyes to interrupt their seeing clearly; and that he is positive as to the identity of the prisoner, of which he never had the smallest doubt.

On this part of his testimony, Mr. Garrow was particularly pressing. In very strong terms, he interrogated the witness, whether he had not said to respectable persons that he should not know any of the persons, who were that night at the mill. The impropriety of telling every inquisitive person what he thought, or what he knew, must be manifest to every thinking person; and he might tell some respectable persons, on whose fidelity he could depend, that he did not know some or one of them; but he never said that he should not know them if he should see them again. If he did, which he did not recollect, it was from a fear of the consequences, and not from an idea of his not knowing some or one of them. Though he had said, that he did know some or one of them, about an hour after the rioters were gone, and while the mill was burning, he was afraid of supporting that assertion the next morning, considering that his life might be in danger. And, on being asked by Mr. Gibbs, with permission of the Court, whether an apprehension for his life was the sole reason for his denying he knew any of them, he directly answered, that it was; and though he did not deny that he had seen a Bath paper, offering rewards, &c. after he was in London, he said that he had always evaded an answer to such a question, for the same reason. Then the Court inquired, at the instance of Mr. Garrow, whether the witness ever denied his knowledge of the rioters to respectable persons, and whether Mr. Timbrell, of Trowbridge, had not asked him a question to that effect; to whom, he admitted that he had given an

evasive answer. Here Mr. Garrow very strenuously pressed for a general answer, but he could obtain no other than that he was in fear of his life, and had reason to be suspicious of every one. To one Grigg, a weaver, who had asked a similar question, he gave a similar answer, and upon the same grounds of fear and suspicion. Again, by way of elucidation, Mr. Gibbs moved the court to ask, whether it was fear that always operated when he gave those evasive answers; and he said, it was.

From an apprehension of the mischiefs which might have ensued, if the other witnesses had been called to corroborate this statement, and to prevent the danger to which they might be exposed of incurring the guilt of perjury, should they have been intimidated from giving an honest testimony, the ends of justice might have been defeated, and the testimony of Mr. Heath invalidated or weakened. It was not, therefore, deemed prudent to produce the testimony of Pierce and his wife, Daniel Goodenough, or Stephen Richardson, nor of Mr. Naish's clerk, at Trowbridge; as the talents of Mr. Garrow, it was feared, might confound them, which might lead to mischiefs incalculable and alarming.

Two witnesses were called for the defence, one of whom was a master-clothier, at Trowbridge; but his testimony only went to state, that he had visited the mill after it was in ruins, when Mr. Heath had declared he knew none of the parties; but it appeared, on a cross-question from Mr. Dallas, that he had never before seen Mr. Heath, and consequently had little reason to expect a correct answer to a question of such importance put by a stranger, without knowing his motives. The other, a publican at Trowbridge, could say nothing particular about the prisoner.

Mr. Jekyll also, as well as Mr. Garrow and Mr. Burrough, was counsel for the prisoner; and they frequently conferred on the proper questions to be put to the witnesses. And, after the Honble. Baron Thomson had summed up the evidence, with many very strong and pointed comments, in a few minutes the Jury returned a verdict of Guilty, after a trial of three hours. On the following day, at two o'clock,

the awful hour of passing sentence, the Court was more crowded than on the preceding day; when, in a most solemn and impressive speech on the magnitude and alarming tendency of the confusions of the preceding year, and in language unusually forcible and energetic, the dreadful sentence of the law, concluded the most affecting address which had been heard for a long time in a country Court of Judicature,—the sentence of DEATH.

Some apprehensions of an attempt to rescue the prisoner on the 22nd of March, the day of execution, were entertained; but proper precautions were taken, and the law was permitted to take its course without interruption.

GEORGE ORMOND BUTLER,

Executed at the Drop, behind the Castle at York, April 5, 1806, for Forgery.

THIS unfortunate young man, who was of a very genteel deportment, had sprung from a respectable family in the county of Kildare, Ireland, had been an Ensign in the 50th Regiment of Foot, and served his country abroad, where he received a wound in the breast. During the summer assizes at York, he was indicted for having forged a promissory note for five pounds, purporting to be a York bank-note, drawn by Raper, Swann, and Co. and also for having uttered and paid the same, knowing it to be forged. It appeared on trial, that on the 23d of August, the prisoner went to a grocer's shop in Hull, and bought a pound of tea, for which he gave a five-pound York bank-note, and received change from the master, who, without hesitation, immediately took it. Hearing, soon after, that the prisoner was in custody, he went to the Town-Hall, informed the Mayor of the transaction, and

gave him the note, after writing his name, so that he might identify it again. Butler was apprehended on the same day at another tradesman's shop in Hull, from whence he was taken to the bank of Messrs. Moxon and Co. when he was delivered to the care of a constable. The prisoner told them that he lodged at the Cross-Keys, and that he had a trunk there. His lodgings were of course examined, and the trunk being opened in his presence, he acknowledged it to be his. The trunk being opened, a great number of notes were found, each note twisted up separately, with a view to take off their appearance of being quite new, and several parcels of tea were also produced. On his examination before the Magistrates, he confessed that the plate from which the notes had been taken, was thrown into a privy at No. 58, Fetter-Lane, London, where it was afterwards found by a police-officer, who attended the trial, and produced it in Court. A clerk from the bank of Messrs. Raper and Co. deposed, that the signature to the note in question, puporting to be the indorsement of R. Swann, was not his writing.

Upon this connected and strong chain of evidence, the guilt of the prisoner was clearly adduced. During his trial he behaved with great tranquillity, and after condemnation shewed the strongest marks of true penitence.

On Saturday, April 5, 1806, this unfortunate man, who left a widow and and one child, appeared upon the platform, at eleven o'clock. He was very languid, but joined in his devotional duty with becoming fervency.

HENRY BOULTER, otherwise called HARRY BOULTER,

Executed at Salisbury, for the Murder of William Dench, on the 23d of December, 1799.

IN descanting upon the character of this notorious offender, a second cousin to Boulter the noted highwayman, who for

a long time kept the county of Wilts and its vicinity in continual alarm by his frequent robberies, it may be observed, that he was scarcely inferior in celebrity to his relation, though most of his crimes, that alone for which he suffered being excepted, were of an inferior degree. His native place was Alford, about two miles from Box, on the confines of Wiltshire, and within a few miles of Bath; in which neighbourhood he was known by the name of Bold Harry, probably from his rough and hardy, uncouth conduct and manners, which were of the lowest cast, though he had received some little instruction both in reading and writing, in his father's life-time, whom he lost when about thirteen years of age. Of these, however, he seems to have been regardless in his subsequent life, as appeared from his little knowledge of either at the time of his death, being then about 38 years of age.

The commencement of his depredations was on the road to the coal-pits, when he picked the pocket of his young master, who was asleep in the cart, of half-a-guinea; and whether it was from a fear of detection, or from a consciousness of the crime of plundering his natural protector, he soon after quitted his native village, and went to live as an inmate with an uncle near Bath, and soon after at Walcot, and afterwards with a coal-merchant in Bath. In this situation, which afforded easy means of committing depredations on his master's property, his propensity to evil practices became predominant, and he soon was enabled to make 10 or 11*s.* weekly, in addition to his wages; but, on being discharged from his service, whether from suspicion or otherwise is uncertain, he was without employment for some months, and reduced to much distress, and was guilty of many petty thefts and frauds. For one of these he was taken into custody, about three or four years from his first transgression, but liberated on condition of enlisting into a regiment, which he never joined; being again lodged in prison for another petty felony, and, after half a year's confinement, acquitted. He had before enlisted into another regiment, with which he went to Jersey, but

shammed Abraham, by pretending a lameness in the hip, and procured his discharge.

After his acquittal, he ungratefully stole some apparel from a person at Bath, who had received him as a lodger; and soon enlisted into another regiment, which he accompanied to Gibraltar, and was there discharged on account of an asthmatic complaint. He was next employed, on his return to England, to drive a waggon, by a person who seems to have formerly dismissed him on suspicion of bad practices, but probably deemed him innocent after his acquittal at the assizes, and took this opportunity, as an act of common justice, to recompense him for his former injurious accusation. Some time after this, at the age of 26 or 27, he married, and purloined cash and other property, with which he had been entrusted, or had access to, and at last left this situation; after which he enlisted into another regiment, and went to Shrewsbury, but again procured his discharge by *shamming Abraham*, as before. He was afterwards employed with another Bath waggon to Bradford and Trowbridge; and at different times, purloined hams from the warehouse, which were carried home, and there consumed. He once more enlisted with a recruiting party of the regiment he had before engaged in, when he was committed to prison; but was rejected by the officers at the head-quarters at Bristol, who understood his character to be so notoriously bad, that they would not admit him into the corps. In the different situations which he held afterwards, his felonious practices were still pursued; and it is most to be wondered at that he should ever be employed again as the driver of a waggon to London, which requires honesty and fidelity, yet in such a station he was occupied for about five years. Here his practices were not abandoned; for, at the instigation of a person, whom it would even now be improper to name, he was assisted to make out false bills of expences, and to charge his master two guineas or more, and sometimes not so much, on a journey from Bath to London, more than he had actually paid.

By the same advice, though he little needed an adviser to

fraud and plunder, who was a partaker of the spoils, handkerchiefs, cheeses, and other property that was embezzled; and sometimes the master, and sometimes the landlords at inns where property was left to be conveyed by the waggon, were obliged to make good the losses. On being occasionally sent for coals, he contrived to defraud his master of seven or eight shillings a day, by selling them. He afterwards became a substitute in the Supplementary Militia, and attended for 20 days exercise; and next year fraudulently obtained five guineas from a young man in the same militia for supplying his place, not knowing that Boulter belonged to the regiment. A fortnight's imprisonment was the punishment for this offence. He next entered into a regular regiment, where he once more had recourse to his former practice of *shamming Abraham* to procure his discharge. After this he committed various trifling depredations, such as stealing provisions, picking pockets, and once he purloined a silver table-spoon, which his *honest* adviser melted down: in all of which they shared the booty between them. He was afterwards occasionally employed, for short periods, in driving other waggons; when he stole whatever conveniently came in his way, as a truss of check, a piece of blue cloth, a roll of parchment, and at one time a saddle, which he sold for nine shillings, as he did the cloth for two guineas, though it was worth fourteen or fifteen pounds. And in the summer of 1798, on being sent for to assist in loading a waggon which had been overturned at the bottom of Kingsdown-hill, he contrived to throw a truss over the hedge into a wood, where it remained until the Sunday following, and was afterwards sold to a Jew, and consisted mostly of bordering for women's skirts, handkerchiefs, and ribbons. For these he received about two guineas and a half; but reserved a few yards of bordering, and also a piece which he gave to a relation, and a piece of handkerchiefs which he sold; one of which was seen on the neck of a person in January, 1800. Besides these he made free with a large iron grate, a quantity of shoes, and other things which presented themselves; and, at length, on the 21st of December, 1799, he proceeded to

the more daring practice of footpad-robbery, when he stopped Farmer Bryant, of Durham, who was suffered to pass on, having no money about him.

We now come to the fatal catastrophe, which put a period to this long career of depredation and fraud, which he had pursued about twenty years. This was only two days after his first unsuccessful expedition; when he proposed, in company with his associate, to rob the driver of a London waggon, which left Bath in the afternoon, but could not meet with him. He therefore resolved to go alone, and, having watched the departure of the waggon, he proceeded by another route, to avoid suspicion, to the place where he designed to effect his purpose. He had stolen a horse-pistol from a saddle in a stable at Bath, and bought a flint, with some gunpowder, before his expedition on the 21st; and, instead of a ball, had picked up a piece of iron, the point of a horse-shoe, from a blacksmith's shop, at Walcot, three or four days before.

Having got before the waggon, and placed himself within-inside a wall, which was opposite to Rudlow firs, he waited there until the waggon had passed him, and afterwards immediately seems to have loaded the pistol. He soon overtook the waggon, and walked along with Deneh, by the side of the waggon, about three hundred yards, when the waggoner asked him if he came from Bath, to which Boulter replied, "Yes," accompanied with a question of, "Do you know me?" and was answered, "Yes." At that instant Boulter demanded his money, and a struggle ensued, in which the waggoner got from him, and pushed forward to get away; and on this Boulton took out the pistol, and, at scarcely three yards distance, discharged its contents in the back part of his head, and Deneh immediately dropped on his knees, and expired in a moment.

Long as Boulter had been inured to depredations, he had not till now been guilty of blood-shedding. The sudden effect, as he acknowledged, gave him a shock, to which before he had been a stranger. Little as he had been accustomed to reflection, he paused at the event, and almost had determined to relinquish the robbery, for which purpose

alone he had quitted Bath. But his necessities preponderated; and he took from the left-hand breeches pocket of the deceased a canvas purse, containing a guinea and a half, and some silver; and from the other pocket a leathern one, in which between three and four pounds in gold and silver were deposited. He saw nothing of any watch; but, as soon as he had effected the robbery, he left the body, with a new whip by his side, and returned towards Bath; but turned into a lane on the south side of the road, at three or four hundred yards from the place of the murder and robbery. On the left-hand, or eastern side of this lane, about three hundred yards from the main road, was an ivy-bush, on a stone-wall, wherein he secreted the pistol, and afterwards returned to Bath.

When the body was found, which could not be long on so public a road, it was presently conveyed to a barn at a small distance, where it was seen by many persons, and, as soon as it was known at Bath, by the proprietor of the waggon, who brought a surgeon. But the surgeon considered it as the coroner's duty to investigate the cause of his death, and therefore deemed it improper at that time to make any particular examination of the body. Such an examination was neglected on the inquest, which occasioned some very pointed remarks on the duty of coroners in general, by the judge on the trial. A verdict of ACCIDENTAL DEATH was consequently given, as no satisfactory reason could be assigned for the cause of his death; and conjecture only could lead to the idea that he had tripped on a stone in the road, by which he had been thrown down, and that the wheel of the waggon must have passed over him, and killed him. Yet no marks appeared on the body to justify this conclusion, which seems to have been very hastily determined, as no circumstances of suspicion were at that time known. After the verdict, the body was carried to Ogbourne St. George, a distance of more than twenty miles, and there interred.

But it was not suffered to remain long there in quiet. From Boulter's being perceived to be flush in money, as it is called, and other suspicious circumstances, he was taken

into custody under an apprehension of his being at least privy to the waggoner's death. Various incidents were discovered and compared, with the design of applying them to the conduct of Boulter; which led to the resolution of having a second inquest. At this time the body was recognized by the master of the waggon, and many other persons, so as to preclude all doubt or uncertainty of the identity of the body; the brain was afterwards laid open by a surgeon, and the iron and wadding, with which the pistol had been charged, and a part of the skull, were then taken out, and left no grounds for disputing the cause of his death. These were produced on the trial at Salisbury, on the 14th of March following. At the time of the second inquest, Boulter was in the Bridewell at Devizes. No sooner had the intelligence reached him of what had transpired at Ogbourne St. George, than his conscience was awakened at the discoveries which had been made, and he determined immediately to ease his mind by an ample acknowledgment of his being the murderer. Directions were given by him for finding the pistol in the ivy-bush. His confession was made freely and voluntarily, and attested in the presence of a magistrate; before which, as he declared, he had been continually harassed and tormented, but now began to be more tranquil and composed, and availed himself, as much as possible, of the good offices of the chaplain of the Bridewell, to prepare for the awful fate which awaited him.

All these facts being proved on the trial on the 14th of March, the usual sentence was solemnly pronounced, and the 16th of March was appointed for his execution. The shortness of the interval between them, did not afford to the ordinary of the county-gaol, at Fisherton, near Salisbury, any great opportunities of exertion for his eternal welfare; but they were rendered almost unnecessary, by the services of the respectable chaplain already mentioned; the usual attention being found happily sufficient to keep him in that pleasing train of reflections, which had been so amply instilled into his mind. On the fatal day, his conduct was perfectly composed, and he met his fate with a resignation

which was truly exemplary; not the resignation of a stoical indifference, but with a confidential hope in the mercies of that forgiving Redeemer, whose favours he had so greatly abused, and on whose goodness alone he depended for a happy introduction into the region of blessed spirits, after he had paid the forfeiture of life to the offended laws of his country in the present.

JENKIN RATFORD,

For Mutiny, Desertion, and Contempt: together with his Confession, Execution, &c.; including Particulars of the Differences which originated from that Mutiny between Great-Britain and America.

BEFORE we commence our narrative of this interesting trial, we shall present our readers with an introductory statement of the origin and progress of the mutiny and desertion of several British seamen, in the town of Norfolk, in Virginia, and of the altercation thereby occasioned between Great Britain and the United States.

In the month of February, or March, 1807, a lieutenant of the American navy opened a rendezvous in the town of Norfolk, in Virginia, for the Chesapeake frigate, then fitting out at Washington. Many deserters from his Majesty's ships, then lying in the Chesapeake, entered with this officer, in particular from the Chichester, who in consequence of running on shore was alongside the Wharf at Norfolk, and part of the Zenobia's crew, who was stranded near the Capes. These deserters, and many more belonging to the Halifax, Melampus, &c. were openly paraded in the streets by the lieutenant under the American flag, and frequently met by their former officers, and claimed by them; but were told by the lieutenant, that although he

knew they were deserters, he could not give them up without orders from his government.

A remonstrance was then made by the British Consul to the chief magistrate of Norfolk, who refused acting in it, or authorising any thing which might be done by their own officers to take them. This was officially communicated to his Britannic Majesty's minister at Washington, who represented it to the Secretary of State and president, whose answers were, "that having entered the American service, and claimed its protection, they were to be considered as citizens, and therefore could not be given up;" besides, that some, he understood, were impressed men.

These applications were frequently renewed, and always the same answers returned. At this time it was ascertained, that above one hundred deserters from the British artillery actually composed a part of the crew of the Chesapeake. The account was sent to England, with a description of such men as could be positively fixed upon, with the Admiral's orders issued upon the occasion; and similar accounts were transmitted to every other quarter where the British flag was flying. In the month of July the Chesapeake sailed, and, as she passed the British squadron, the Leopard, his Majesty's armed ship, put off, and went to sea before her. When the Chesapeake came up with the Leopard, the latter's commander (Captain Humphries) hailed her, and said he had a dispatch to deliver from the British Commander in Chief (Admiral Berkeley) of the American station. This was a demand for the deserters, which Commodore Barron evaded. Hereupon the Leopard proceeded to hostilities, and Commodore Barron at length submitted to the vessels being searched.

The crimping of English seamen, both from the merchant service as well as from the men of war of Great Britain, had arisen to that height, and so far being able to avail themselves of that friendly intercourse, which, in a neutral country, the English had a right to expect, not a boat could be trusted on shore from the ships in Hampton-Roads, and all communication was carried on by two pilot-boats, hired for the purpose, and manned by petty officers of his

Majesty's navy. The officers of the Chichester were not exempt. One, a murderer, being sheltered from justice, although at last he surrendered of his own accord; another, the gunner of the Chichester, seduced by the lieutenant's promises of promotion in the American navy, deserted, and actually officiating in the Chesapeake frigate, met with his death.

Three other seamen, who were Englishmen and deserters, were also killed in the contest. Four men, of the same description, were found in the Chesapeake, and were taken away by the Leopard; and one in particular (Jenkin Ratford, alias John Wilson) belonging to the Halifax, had not only received the king's bounty, but seventeen pounds additional, given by this province. There is no doubt but that if the Leopard could have identified them by some of their own officers, many of the Chichester's, as well as the Zenobia's, men would have been found, as the prisoners since confessed they were on board; but as the captain of the Leopard could only identify those whose officers were on board, and actually recognized them, they were suffered to remain.

On Wednesday, August 26, 1807, a Court Martial was held on board his Majesty's ship Belleisle, in Halifax Harbour, Nova Scotia, for the purpose of trying Jenkin Ratford:—

President, the Hon. Sir Alex. Cochrane, K. B. Rear Admiral of the White, and second officer in the command at Halifax.

The following were the captains, being all of the rank of Post at this place; viz.—Francis Pickmore, William Charles Fahie, Edward Hawker, John Erskine Douglas, Philip Beaver, and Nathaniel Day Cochrane.

On the Court assembling at half-past ten o'clock, the prisoner having been brought forward, the evidence called over, and the audience admitted, the order was read, addressed to the President, from the Hon. G. C. Berkeley, Vice Admiral of the White, and Commander in Chief at Halifax, Nova Scotia, &c. dated the 25th of August; also the President's order to the Judge Advocate to officiate as

such; when the Members and Judge Advocate were severally sworn, agreeable to Act of Parliament, and the following letter containing the charges against the prisoner:—

"His Majesty's Sloop Halifax,
"Halifax Harbour, 15th August, 1807.

"Sir,

"I beg leave to represent to you, that the five men named in the margin,* belonged to his Majesty's Sloop Halifax, under my command, when sent with a petty officer in the jolly-boat, in Hampton-Roads, on the 7th of March last, to weigh a kedge anchor, which had been previously dropped for the purpose of swinging the ship by, taking the advantage of the dusk of the evening, mutinied upon the petty-officer, and some of them threatened to murder him; but the rest interfering they desisted; however, taking the boat under their own command, they succeeded in deserting, by landing at Sewel's Point.

"The whole of the above-mentioned deserters, I have since been informed, entered on board the United States frigate, the Chesapeake, and were seen by me, and several of my officers, parading the streets of Norfolk, in triumph, under the American flag. A few days after the desertion, I accosted one of these men, Henry Saunders, asking the reason of his deserting, and received for answer, that he did not intend any thing of the kind, but was compelled by the rest to assist, and would embrace the first opportunity of returning. At that moment Jenkin Ratford, one of the said deserters, coming up, took the arm of the said Henry Saunders, declaring, with an oath, that neither he, nor any of the rest of the deserters, should return to his ship; and with a contemptuous gesture, told me he was in the land of liberty, and instantly dragged the said Henry Saunders away.

---

* Richard Hubert, Henry Saunders, Jenkin Ratford, George North, and William Hill.

Finding that my expostulating any longer would not only be useless in obtaining the deserters, but in all probability have collected a mob of Americans, who, no doubt, would have proceeded to steps of violence, I instantly repaired to the house of Col. Hamilton (the British Consul there), and related every circumstance which occurred, and applied to him, as also to Lieut. Sinclair, of the rendezvous of the United States service, to recover the said deserters, but without effect.

"Being since informed that Jenkin Ratford has been recovered, in an action on board the United States' frigate Chesapeake, with his Britannic Majesty's ship Leopard, and now a prisoner on board his Majesty's ship Bellona, I have to request that you will be pleased to direct a Court Martial may be assembled, for the purpose of trying the said Jenkin Ratford for the within-mentioned charges of mutiny, desertion, and contempt.

"I have the honour to remain, &c.

"J. TOWNSHEND.

"To the Hon. G. C. Berkeley, Vice-Admiral of the White, and Commander in Chief, &c. Halifax, N. S."

The evidence were now withdrawn, and the prosecutor (Right Hon. J. Townshend) having been sworn, said, in addition to what he had stated in his letter, that at the time of the prisoner's deserting, he was on board the Mermaid: on hearing a firing of musketry kept up from the ship, about six o'clock in the evening on the 7th of March, he immediately returned on board; when Mr. Carter informed him, that five men had rose on Mr. Turner, midshipman, and deserted with the jolly boat. The next morning, he sent Lieut. Masters, to Norfolk, to acquaint Capt. Bollis, the British Consul, of the desertion of the men: on his return, he reported that he had seen some of them, one in particular, Richard Hubert, parading the streets with the American flag, then recruiting for the Chesapeake. Witness

then went up himself to Norfolk, and told the British Consul, and finding that the men had entered for the Chesapeake, he applied to Lieut. Sinclair, who was entering men for her, and received for answer, that there were no men entered for them by the names he gave; but, if his deserters had entered, he must apply to the magistrates, which witness did, through the Consul, who, he believed, applied to the mayor and civil power. Witness also applied to Capt. Decator, who referred him to Lieut. Sinclair; but he met with no success in recovering the men. Witness now stated the personal abuse which he received from the prisoner, when he met him, as mentioned in the letter.

The evidence now commenced for the prosecution, and the first witness called was Lieut. Thomas Wren Carter, who said, that on the 7th of March, 1807, about six o'clock in the morning, being Commanding Officer, he sent the jolly-boat with Mr. Turner, midshipman, and five men, to weigh the kedge anchor, which had been laid out for swinging the ship. They were a long time there. Witness hailed them once to know what they were about; they answered, getting the tackle on board. A short time after the quarter-master, Douglas, told witness he thought they were pulling away; witness, believing they were, ordered a fire of musketry on them. That not having any effect, he directed some great guns to be pointed and fired: one was; but the boat being nearly out of sight, owing to the dusk, and a Tender, belonging to the Bellona, immediately in her wake, he was obliged to desist firing, and saw no more of her. As soon as the firing ceased, a muster of the ship's company was made, when witness found that the prisoner, with the other men named in the charge, had deserted. Two or three days after, the petty-officer returned, and reported he had been run away with by the crew. Mr. Robert Turner, midshipman, said, that the prisoner was with him in the jolly-boat, together with Hill, North, Hubert, and Saunders. After they had shoved off from the ship, and got hold of the kedge hawser, and the anchor up to the bows, it came on to rain very hard, and the weather being thick, the men took the boat from him; when witness

hailed the ship repeatedly, until silenced by Hill, who threatened, if he hailed the ship any more, he would knock his brains out, and heave him overboard. Hill said, if it had been Mr. M'Gory in the boat, instead of witness, he would have tanned his hide, and thrown him overboard. The instant the boat landed at Sewel's Point, they all jumped out, and left the witness in her. Saunders would have returned if he had not been threatened to have his brains knocked out: witness did not know if by the prisoner in particular: it was amongst them. After landing, he saw nothing of the men until Monday, two days after, when he saw the prisoner at Norfolk, with a number of men, who had entered into the American service. On Tuesday, he met Lord Townshend, and informed him of the circumstances: shortly after saw the prisoner and Saunders, Lord Townshend speaking to them, and telling them, that if they would return to the ship, he would forgive them. Saunders was in the act of going down to the British Consul's with him: the prisoner said, if he attempted to return to the ship, if he was not able himself, he would get more hands to assist in cutting his bloody guts out. The prisoner was exceedingly abusive. Being asked if the deserters cut the boat adrift, this witness said, that after landing, he was left in the boat, the painter was cut, the boat floated off, and he jumped into the water and waded ashore. The prisoner and the other deserters rowed the boat, except Saunders, who sat in the stern sheets with the witness.

Thomas Douglas, quarter-master of the Halifax, having been next sworn, stated, that he had the watch on deck, about half-past five o'clock on the evening of the 7th of March. Witness was standing on the starboard gangway, when the men slipped the kedge hawser, and got their oars out. He went immediately to the gun-room, and reported to Lieutenant Carter that the boat was rowing off from the ship, who came up immediately. Witness having gone before and got the key of the arm-chest out of the binnacle-drawer, and took out the muskets, with a cartouch-box (the centry's musket not going off), Lieutenant Carter, Mr. Smith, and himself, fired as long as they could keep

sight of the boat. Witness knew that the prisoner was one of the men in the boat.

Lieut. James Masters, of the Halifax, said, that on the 7th of March, about six in the evening, the prisoner and four other men were sent to weigh the kedge anchor. Soon after, it was reported that they had deserted. Witness went on deck, and observed them pulling from the ship. They were fired at several times, but to no effect. Witness was sent up to Norfolk the next morning, with a letter, on service. He saw two of the deserters, but did not speak to them: one of them with the American flag, and the other coming out of a public-house. The prisoner was not one of them. He knew the prisoner deserted on the 7th of March from the ship.

George Tincombe, master's mate of the Melampus, said, he was on board the Leopard on the 22d of June as a passenger, and was ordered on board the Chesapeake with Lieutenants Falcon and Guise to search for deserters. After the hands were sent on deck, he was ordered below to search, and found the prisoner in the coal-hole: he was taken on the quarter-deck, and known by Mr. Preston, purser of the Leopard, as being discharged from her to the Halifax. The prisoner said he was an American, and did not belong to the Halifax. The captain of the Chesapeake said, he did not know that he had any deserters on board. The prisoner stood on the Chesapeake's books by the name of Wilson. Previous to the action between the Leopard and the American frigate, there was a correspondence, by letter, between Captain Humphreys and the commander of the Chesapeake, to demand the deserters then on board her. Witness heard Captain Humphreys say, "Commodore Barron, you must be aware of the necessity I am under of complying with the orders of my Commander in Chief." He replied, "You may do as you please." This witness understood as a refusal to comply with Captain Humphrey's wishes to have the English deserters given up from the Chesapeake to the Leopard. The boat was on board the Chesapeake about three quarters of an hour, when the signal was made for her from the Leopard: she returned in

about ten minutes after, with a letter, which Captain Humphreys took into the cabin, and read: then ordered the guns to be primed, fired one gun athwart her bows, and then hailed as before, to which a similar reply was made. Captain Humphreys then ordered the fire to commence, beginning with the foremost gun on the lower deck, and gave her about three broadsides. The crew of the Chesapeake were not mustered previous to the finding of Ratford in the coal-hole, but afterwards. Three other deserters were taken out of the American frigate belonging to the Melampus. About twelve Englishmen (men and boys) were mustered on board her; but none of those Englishmen demanded, nor any other men demanded, or taken out, except known deserters.

Frederick Phillips, midshipman of the Bellona, saw, when he went on board the Chesapeake, the prisoner standing or leaning against one of the carronades, on the quarter-deck: he knew he was taken out of the Chesapeake to the Leopard.

James Simpson Wells, clerk of the Halifax, produced the complete book of the Halifax, swore to its corrections, and, by direction of the Court, pointed out to the Judge Advocate, the five men, stated by the charge to have deserted, which he did as follows:—

Richard Hubert, sail-maker, born in Liverpool, England, aged twenty-two.

Henry Saunders, yeoman of the sheets, born in Greenock, aged twenty-six.

Jenkin Ratford, ordinary, born in London, aged thirty-one.

George North, captain of the main-top, born in Kinsale, aged twenty-seven.

William Hill, able, born in Philadelphia, aged twenty-one, entered at Antigua.

Witness knew the prisoner to be one of the men by the name of Jenkin Ratford. He believed he was present when his description was taken, and he gave the place of his birth, London, himself.

Mr. James Baikie, secretary to Vice-Admiral Berkeley,

swore to the following letters being true copies of those sent to the commander in Chief; when they were read, and are as follow;

To JOHN ERSKINE DOUGLAS, Esq.

Captain of his Majesty's ship Bellona, and Senior Officer, &c. Chesapeake.

"His Majesty's Ship Leopard, at Sea,

"SIR, 22d June, 1807."

"In obedience to your signal this morning, to weigh and reconnoitre, S. E. by E. I have the honour to acquaint you, that having arrived off Cape Henry, to the distance of about four or five leagues. I bore up pursuant to orders from the Commander in Chief, to search for deserters on board the United States' frigate Chesapeake. On arriving within hail, an officer was dispatched, according to my instructions, to shew the order to her commander, together with the following note from myself:—

"The Captain of his Britannic Majesty's ship Leopard has the honour to enclose the Captain of the United States' frigate Chesapeake, an order from the Hon. Vice-Admiral Berkeley, Commander in Chief of his Majesty's ship on the North American station, respecting some deserters from the ships (therein mentioned) under his command, and supposed now to be serving as part of the crew of the Chesapeake.

"The Captain of the Leopard will not presume to say any thing in addition to what the Commander in Chief has stated, more than to express a hope, that every circumstance respecting them may be adjusted, in such a manner, that the harmony subsisting between the two countries may remain undisturbed."

"The boat, after an absence of three-quarters of an hour, returned with the following answer:

"I know of no such men as you describe: the officers that were on the recruiting service for this ship were particularly instructed by the government, through me, not to enter any deserters from his Britannic Majesty's ships; nor do I know of any being here.

"I am also instructed never to permit the crew of any ship that I command, to be mustered by any other but her own officers: it is my disposition to preserve harmony; and I hope this answer to your dispatch will prove satisfactory.

(Signed) JAMES BARRON,

Commander of the United States' ship Chesapeake."

"On the receipt of this letter, motives of humanity, and an ardent desire to prevent bloodshed, induced me, if possible, to endeavour to make the search, without recurring to more serious measures, by repeatedly hailing and remonstrating without effect. I then directed a shot to be fired across the bow; after which he was again hailed, the answers again were equally evasive; conceiving, therefore, that my orders would not admit of deviation, I lament to state that I felt myself under the necessity of enforcing them by firing into the United States' ship; a few shots were returned, but none struck this ship: at the expiration of ten minutes from the first shot being fired, the pendant and ensign of the Chesapeake were lowered. I then gave the necessary direction for her being searched, according to my instructions, and herewith send you the statement* of the number and names of the deserters found on board. Several other English subjects composed part of the crew of the frigate, but, as they did not claim the protection of the British flag, and not within the limits of my orders from the Commander in Chief, I therefore allowed them to remain.

"After the search had been made, and previous to separation, the captain sent the annexed note, which, with my

---

* List of men found on board, and serving as part of the crew of the United States' Ship Chesapeake, deserters from his Majesty's ships Melampus and Halifax.

William Ware, Daniel Martin, John Strachan, alias Story, } His Majesty's ship Melampus.

John Wilson, alias Jenkin Ratford, - - - Halifax.

His Majesty's ship Leopard, at Sea, June 22, 1807.

answer, I have the honour to subjoin; and have the honour to be, Sir,

"Your most obedient humble servant,

"S. P. HUMPHREYS."

Copy of a Letter from Commodore Barron to Captain Humphreys, mentioned above.

"SIR,

"I consider the frigate Chesapeake as your prize, and am ready to deliver her to any officer authorized to receive her. By the return of the boat, I shall expect your answer; and have the honour to be, Sir,

"Your most obedient humble servant,

"JAMES BARRON.

"At Sea, 22d June, 1807."

Copy of the Answer.

"His Majesty's Ship Leopard, at Sea,

"SIR, "June 22, 1807."

"Having, to the utmost of my power, fulfilled the instructions of my Commander in Chief, I have nothing more to desire, and must, in consequence, proceed to join the remainder of the squadron, repeating, that I am ready to give you every assistance in my power, and do most sincerely deplore, that any lives should have been lost in the execution of a service, which might have been adjusted more amicably, not only with respect to ourselves, but to the nations to which we respectively belong,

"I have the honour to be, sir,

"Your most obedient humble servant,

S. P. HUMPHREYS."

Serjeant Richard Frodsham, of the Royal Marines, of his Majesty's ship Bellona, said he knew the prisoner was confined on board the Bellona, as a deserter from the Halifax. Witness was sent from the Bellona to his

Majesty's ship Chichester, on the 10th of November, 1806, and remained there doing duty as a serjeant of Marines, until the 15th of March, 1807.

In the early part of February last, the Chichester being alongside the wharf, at Gosport, in Virginia, witness saw a party of soldiers under arms, consisting of the Commandant of Fort Nelson, a serjeant, corporal, and four privates, coming from the fort to the wharf, alongside which the Chichester was laying. Having entered the gates, they proceeded to Captain Stopford's lodgings; when witness was sent for by him, and asked whether there were any deserters on board from the fort? witness answered there were not any. The captain said, "there are three, are there not?" and directed witness to give them up to the person he supposed to be the Commandant. Witness, with the assistance of the officers, searched the ship, but could not find them, and reported accordingly to the captain, who then ordered all hands to be turned up, in order to search more particularly, as he was determined to give them up. Witness, with the master and other officers renewed the search; and, at the expiration of an hour, two were found under the stores in the hold; the third was found in one of the storehouses, under the sails. Captain Stopford directed Mr. Brookes, one of the midshipmen of the ship, to be confined, for telling Capt. Saunders that he thought it was not right to give up their deserters, when they would not give up ours. The deserters were then put in a boat, and taken by the American captain and guard to the fort. Their names were William Burn, a shoemaker by trade, an Irishman, born in Londonderry; William Jones, a weaver by trade, born at Manchester, in England; the name or place of the birth of the third person witness did not recollect. Being asked if he knew any of the crew, or supernumeraries deserting from the Chichester, and entering into the American military service, witness said, he knew convalescents, who came from the regiments, &c. in the West-Indies, for the recovery of their health, namely, Robert Simpson and Francis Sedgwick, of the Royal Artillery; William Philips, Corporal of Marines, belonging

to the Chichester; Benjamin Withers of the 15th regiment of foot; and John Mahoney, of the 37th, deserted from the Chichester; some of whom enlisted in the English uniform into the American service, and were afterwards seen by witness in the American military uniform. Simpson and Mahoney were Irishmen, and Withers and Phillips Englishmen, from the county of Lancaster. Witness did not know what countryman Sedgwick was, but heard them all repeatedly declare they were strangers to the United States.

Captain John Erskine Douglas deposed, that he was senior officer of his Majesty's ships in the Chesapeake, when the men, stated by the last witness, deserted from the Chichester. He made application, but they were not given up; and, to the best of his recollection, the answer given was, "if any deserters from the English service have entered into the American service, they have been sent, with a detachment, into the country."

The prisoner was now called upon for his defence; having been told at the examination of each witness, that he might ask any question he pleased. After retiring for a short time with the Judge Advocate, he returned into Court, and stated, that the evidence brought against him was so strong, there was little left for him to say in his defence; but that the reason of his hiding in the coal-hole was, for fear of the Americans making him fight against his country, which he declared he would not do on any account; that he, with all the men who deserted from the Halifax, were persuaded by the boatswain of the Chesapeake to enter for her, to protect themselves, which they did: Lieut. Sinclair asking them if they had not a second name. About thirty men went in the first draught with him to the Chesapeake, when Captain Gordon mustered them, and they were mustered again in Hampton-Roads, by the Commodore. He requested leave to call one evidence in again, to ask his officers for a character. And then he threw himself on the mercy of the Court.

Lord James Townshend stated, that, prior to the charges, he had always behaved himself as a quiet steady man.

Mr. Turner having been called in again, and reminded

that he was still on his oath, was asked by the prisoner, if he recollected his throwing his oar across the boat, and not towing after the boat had been pulling some time for the shore, and after others called out, "pull away?" said, that he did not; that the prisoner pulled away as the others did.

Lieut. Carter, of the Halifax, on being called on for the prisoner's character, stated that all the time he was in the ship, he considered him a steady, sober, attentive man, and one he could have entrusted on shore.

Lieut. Masters had known the prisoner all the time he had been in the Halifax; never knew any thing against him: he was sober and attentive, and occasionally with working parties on shore.

The prisoner having nothing further to offer, the Court adjourned from the quarter-deck, to consider of the evidence they had heard; and, after maturely and deliberately weighing the same, were of opinion, that the charges against Jenkin Ratford were proved, and adjudged him to suffer death, by being hung at the yard-arm of such of his Majesty's ships, and at such time as the Commander in Chief at Halifax shall direct; which sentence being signed by each member, and the Court assembling again on the quarter-deck, the prisoner being brought forward, and the witnesses and audience admitted, was read by the Judge Advocate accordingly. After which the President addressed the prisoner in nearly the following words:

"You have now heard the awful sentence of the Court. You have been found guilty of deserting from the service of your country, which at all times, is highly criminal; if it was possible to make it more so, it is at the present crisis, when Great Britain is struggling for her very existence. Your deserting from the Halifax, and entering into the American navy, has been attended with the most serious and unfortunate consequences, affecting the peace of both countries. The offences of which you have been found guilty are of so flagrant a nature, that I cannot flatter you with the least hopes of pardon: I, therefore, earnestly recommend your employing the short time you may have to live in making your peace with heaven. All who are now present, and

have witnessed this trial, as well as the crews of others of his Majesty's ships, must be convinced of the heinous crime of desertion; more particularly so, when it is attended with mutinous and contemptuous behaviour to your officers. The fate of the unfortunate prisoner will, I trust, sink deep into your minds, and prevent the continuance of an offence so hurtful to your country, and disgraceful to the character of British seamen."

We are favoured with the following facts, relative to this execution, from an officer of the ship, who witnessed the whole awful ceremony, and on whose veracity we can depend.

The prisoner appeared deeply affected at the awful fate that awaited him; bowed to the President and the Court, and said, "I am sorry, you cannot give me any hope of pardon." The prisoner immediately withdrew, under the charge of the Provost Martial, and was constantly attended by the chaplain of the Bellona, with whom he prayed very fervently, although at times he appeared dilirious. Having signified his wish to be allowed one of his messmates in the Halifax to attend him in prayers, in the absence of the chaplain, it was immediately assented to, and accordingly Francis Frampton, captain of the forecastle of the Halifax, repaired to attend his unfortunate messmate, labouring under the greatest distress of mind. In pursuance of directions from the Hon. G. C. Berkeley, Vice Admiral of the White, and Commander in Chief of his Majesty's ships and vessels, &c. &c. directed to the Right Hon. Lord James Townshend, Commander of his Majesty's ship Halifax; preparations were made for the purpose of carrying into execution the sentence of the Court Martial passed upon Jenkin Ratford; and accordingly on Monday morning, at eight o'clock precisely, on the 31st of August, 1807, the signal for inflicting punishment was communicated to the squadron, then in Halifax Harbour, with one gun. Every ship obeying the signal, by sending each a boat with an officer manned and armed, to attend the awful ceremony; (the Admiral and Commander in Chief having previously taken the wise precaution of directing his several Commanders

to select the worst characters among the ships' companies, and sending them aboard the Halifax, to be the only assistance in executing a brother seaman, for crimes of a similar nature to those which they had been guilty of themselves, by which means they might reflect upon their past offences, and viewing the untimely end of Jenkin Ratford, they might be brought to a true sense of their duty to their superiors). A few minutes after eight the prisoner, attended with an officer, and the Provost Martial, with a sufficient guard of marines, with bayonets fixed, was transferred from the Bellona to the Halifax for execution. While coming alongside, he viewed very attentively the yard-arm upon which he was to suffer, which he the more easily descried by the yard-rope being led along, and the temporary platform which projected from the ship's forecastle. He ascended the ship's side without a hat, made his obedience with a bow to the officers on the quarter-deck, and taking one more view of the fatal yard-arm, descended with the Provost Martial, to a screen birth under the half-deck, which had been previously erected for the purpose; and shortly after attended by the chaplain he received the sacrament, and joined very fervently in prayers, at intervals appearing much disturbed in his mind.

The Halifax laying in such a situation as to preclude many spectators from distinctly viewing the awful scene, a kedge-anchor with a hawser was carried out, by which means the ship was layed in such a direction, as not only to give a distinct view to the whole squadron, but also to the many thousand spectators on shore, assembled on the occasion. We must here remark, that about a quarter before nine, near 100 soldiers belonging to the different regiments quartered at Halifax, were drawn up on a convenient spot, close to the water-side. These men were of the most abandoned characters in the several regiments they belonged to, and were selected purposely to view the execution. At nine, the signal with a gun was made for carrying punishment into execution, when every ship in the squadron assembled their different crews in the rigging to witness it. By this time all the boats had arrived, and being planted in

proper order round the Halifax, attended by a vast concourse of people in shore boats, the prisoner made his appearance upon deck, attended by the chaplain, was marched forward upon the fore-castle: ascending the fatal platform, and viewing very attentively the rope which was to deprive him of existence, he requested more grease might be laid in the noose, in order that it might render it more easy: this done, and being placed over his neck, Lord James Townshend very distinctly read to the prisoner the order addressed to him from Vice Admiral Berkeley, directing him to carry the sentence into execution, by causing the said Jenkin Ratford to be hung by the neck at the starboard fore-yard-arm of his Majesty's sloop under his command until he should be dead. The chaplain read a few prayers, to which he appeared to pay very little or no attention, casting his eyes sometimes to the yard-arm, sometimes to his shipmates, at others to the scaffold. Prayers being ended, the chaplain took his leave of him, recommending his soul to Heaven. While the Provost Martial was preparing to put the night-cap over his head, it was singular to remark how callous he appeared in his last moments, by kicking off his shoes, which fell overboard from the platform; and also throwing, in a careless way, his handkerchief into the fore-rigging. Precisely at eighteen minutes past nine, the attention of every spectator was roused by the report of a gun, which signal being obeyed, this unfortunate criminal was immediately launched into eternity, and hanging the usual time of one hour at the yard-arm, was lowered down into a boat for interment. Suffice it to say, that the prejudice of the country was such, that this unfortunate criminal was denied the rights of christian burial, and was interred upon Maugers Beach, in the entrance of Halifax Harbour, the burial service having been read by the chaplain of the Bellona.

Before his execution, he acknowledged, "that he was born in London, that he voluntarily entered into his Majesty's service; that he deserted in the jolly-boat of the Halifax, in company with George North, captain of the main-top, Henry Saunders boatswain's mate, Richard Hubert, tail-

number, and another man whose name he did not know; that they all entered at Norfolk for the Chesapeake frigate, and afterwards joined her at the Federal City; that in a short time Richard Hubert ran away, and was seen at Alexandria by some of the crew, about three days after; and that George North and Henry Saunders ran away during the time the ship was coming down the river. That Richard Hubert was from Liverpool, and formerly belonged to the Leander, and that Saunders was an Irishman." On his defence, Ratford said, "that at the time of their entering for the Chesapeake, Lieut. Sinclair asked them, if they had not a second name?" On this suggestion, Ratford altered his name to Wilson, and was so entered on the Chesapeake's books. To this circumstance it is owing, that the name of North and Saunders were not to be found in the books; and to their having deserted on the passage of the Chesapeake from Washington to Norfolk, is also owing that they were not, like Ratford, found hid in the coal-hole of that frigate.

RICHARD RIPPON AND JOHN POLLARD,

Sentenced Transportation at the Sessions held at the Old Bailey, November, 1811, for Stealing Jewels.

THE prisoner Rippon proved to be one of those faithless servants, who watch the opportunity of robbing their employers. Pollard was a working jeweller—the receiver of the stolen property.

They were indicted, the former for stealing, the latter for receiving, knowing them to be stolen, a box, containing a quantity of jewels, the property of Lady Elizabeth Campbell.

It appeared in evidence, that her Ladyship, in September last, was removing from her house in Brook-street, Grosvenor square, to her new residence in Sloane-street; and that the

removing some part of her property, her Ladyship's carriage was employed, and also a hackney-coach, of which the prisoner Rippon was the driver. In the course of this business her Ladyship's maid, with the aid of the man-servant, had brought down to the hall some trunks of wearing apparel, and other small articles, belonging to her Ladyship, in order to be put into the prisoner's coach, and among the rest, a small box, containing some valuable rings and other jewels, which, it was proved by the man-servant, were put into the prisoner's coach, but afterwards were missing. Inquiry for their recovery from the prisoner having been made without effect, they were advertised in the newspapers, and a reward offered for their restoration.

In a short time afterwards, William La Rouche, a journeyman jeweller, then in the employment of the prisoner Pollard who was a working jeweller, and then resided in the vicinity of Soho, as it appeared from the evidence of the former, heard his employer reading the advertisment at his own house, which described the jewels, and offered the reward for them; and very shortly afterwards, on the same evening, the wife of the prisoner Rippon, who lodged in Pollard's house, came down stairs to his workshop, and asked some questions about the value and price of setting certain jewels, answering the description of those mentioned in the indictment; and after she left the room, he saw the prisoner Pollard again reading the advertisment, and heard him remark, "that he believed all those jewels were up stairs," meaning, as he understood, in possession of the prisoner Rippon's wife. He heard no more of them until next day, when he saw in the workshop several of those jewels, together with the gold setting, from which they had been taken; and particularly a blood stone, which was afterwards re-set in a gold broach, for Rippon; and a Malachite stone, which Pollard had broken in three pieces, in his endeavours to extricate it from the setting.

William Jones a dealer in antiques, Castle-street, Leicester-fields, also proved some of the jewels which had been sold to him by Pollard; and, amongst others, a curious antique Cameo-ring, with a relief of Cleopatra's head,

surrounded in the gold setting with an asp, the eyes of which were small diamonds, and which he took from that setting, and fixed in another—and for which he gave Pollard two guineas and a half. The other jewels were disposed of by Pollard to other persons, who had sold them, and they could not be produced in evidence.

The Recorder summed up the evidence for the jury who found both the prisoners Guilty.—Transportation.

WILLIAM TOWNLEY,

Convicted of Burglary, and executed at Gloucester, the 23d of March, 1811, though reprieved by the Judge of Assize.

THE fate of this man was truly most unfortunate;—a case, in some sense of our words, of a man murdered by the executive power of the country.

Townley had received sentence of death for burglary; and was left for execution. A short time after the departure of the judge towards Hereford, the next assize town he was informed of some circumstances favourable to the case of the prisoner, and, in consequence thereof, he granted a reprieve. By a fatal mistake this reprieve was directed by the clerk, to Mr. Wilton, under sheriff Herefordshire place, Gloucestershire, and put into the post-office at Hereford. There it remained until the letters had been delivered out next morning, time enough for it to have reached Gloucester, when Messrs. Bird and Woolaston, the under sheriffs for Herefordshire, opened the packet, and seeing its import of life or death, they dispatched Mr. Bennet of the hotel with it, upon a fleet horse, to the place of its destination, being thirty-four miles; but, melancholy to relate, he arrived at the spot of execution, twenty minutes too late; the culprit having been hanging at the gallows that time, and dead!

Strange, that an instrument on which life hung should be

committed to the common post!—That the life of a fellow-creature was not deemed worth the hire of a special messenger!

THE HON. ARTHUR WILLIAM HODGE,

One of the members of his Majesty's council, in Tortola, an island subject to Great Britain, in the West Indies, executed there, on the 8th of May, 1811, for the Murder of his Negro Slave.

I would not have a slave to till my ground,
To fan me when I sleep, and tremble when
I wake, for all that human sinews bought
And sold, have ever earn'd.

COWPER.

WE believe that this is the first Englishman, at any rate, since the late amelioration of their wretched condition, who suffered capital punishment for flogging his own slaves to death; but we are very sure that numbers—as well French, Spaniards, Dutch, Portuguese, and above all, Americans—have deserved the fate of Hodge, for barbarity to their fellow men, differing in nought but colour.

The greater part of Englishmen, while drinking grog, or quaffing the fumes of best Virginia; or their wives and daughters in sipping their tea, know not by what base means rum, sugar, and tobacco are imported into their country. The case before us affords an opportunity of throwing some light upon the dark subject—of bringing to public view a long continued series of barbarity—of burthens not fit for beasts to bear—of whips and chains that overpower the frailer flesh, and bend the spirits down—of deliberate, cruel, wanton, and unpunished murders. Of a theme like this we may speak at large, for,

——————Something I'd unfold,
If that the god would wake, and something still there lies
In Heaven's dark volume, which I read through mists;
'Tis black! prodigious! and now, just now disclosing.
I see how terrible it dawns,
And my soul sickens at it!

DRYDEN.

The brutal murder for which Hodge suffered death, caused farther investigations to be made in other West India Islands; and, which at length reached the government of the mother country. This produced a correspondence between the Earl of Liverpool and Governor Elliot, from which we shall select the first official document laid before a committee of the House of Commons, exhibiting similar scenes of barbarity in another island.

From the St. Christopher's Gazette of the 23d of February, 1810:

Published by the Authority of the Assembly of the Island of Nevis.

NEVIS.—At a meeting of the gentlemen of the assembly at Charlestown, on Wednesday the 31st day of January, 1810; the following resolutions were entered into:

Resolved, That it is the opinion of this House, that the conduct of Edward Huggings, sen. Esq. on Tuesday the 23d of this month, in inflicting punishment on several of his negroes in the public market-place of this town, was both cruel and illegal; and that particularly in two cases, where two hundred and forty-two, and two hundred and ninety-one lashes were given, he was guilty of an act of barbarity altogether unprecedented in this Island. That this House do hold such conduct in the utmost abhorrence and detestation, which sentiments perfectly accord with the feelings of the community in general. That this House do pledge themselves to promote the strictest investigation into this cruel proceeding, so disgraceful to humanity, so injurious to the fair character of the inhabitants, and so destructive of the best interests of the West India Colonies.

Resolved, That the above Resolutions, with the evidence taken in support thereof, be printed. That copies be transmitted to England, and circulated through all the Islands.

The examination of John Burke, jun. Deputy Secretary of the said Island, upon oath, saith, that on Tuesday, the 23d of January, 1810, he was standing in the street opposite the house of the Rev. William Green; when he saw Edward

Huggins, sen. Esq. and his two sons, Edward and Peter Thomas Huggins, ride by, with a gang of negroes, to the public market-place; from whence the deponent heard the noise of the cart whip; that deponent walked up the street, and saw Mr. Huggins, sen. standing by, with two drivers, flogging a negro man, whose name the deponent understood to be Yellow Quashy. That deponent went into Dr. Crosse's gallery, and sat down: that two drivers continued flogging the said negro-man for about 15 minutes; that as he appeared to be severely whipped, deponent was induced to count the lashes given the other negroes, being under an impression that the country would take up the business. That deponent heard Mr. George Abbot declare, at Dr. Crosse's steps, near the market-place, that the first negro had received three hundred and sixty-five lashes: deponent saith, that Mr. Huggins, sen. gave another negro-man one hundred and fifteen lashes; to another negro-man sixty-five lashes; to another negro-man forty-seven lashes; to another negro-man one hundred and sixty-five lashes; to another negro-man two hundred and twelve lashes; to another negro-man one hundred and eighty-one lashes; to another negro-man fifty-nine lashes; to another negro-man one hundred and eighty-seven lashes; to a woman one hundred and ten lashes; to another woman fifty-eight lashes; to another woman ninety-seven lashes; to another woman two hundred and twelve lashes; to another woman two hundred and ninety-one lashes; to another woman eighty-three lashes; to another woman forty-nine lashes; to another woman sixty-eight lashes; to another woman eighty-nine lashes; and to another woman fifty-six lashes; and, that the woman who received two hundred and ninety-one lashes appeared young, and was most cruelly flogged. That all the negroes were flogged by two expert whippers: that Mr. Edward Huggins, jun. and Mr. Peter Huggins, were present at the time the negroes were punished; that Dr. Cassin was present when some of the negroes were whipped, and when a man received two hundred and forty-two lashes. That deponent understood that Dr. Cassin was sent for by M. Huggins, sen. That Edward Harris, Esq. Mr. Peter

Butler, and Dr. Crusoe, were present at Dr. Crusoe's house a part of the time during the punishment: and that Mr. Joseph Nicholson, Mr. Joseph Laurence, and Mr. William Knepe, were present all the time.

JOHN BURKE, JUN.

Sworn before me, this 31st Jan. 1810,
at the Secretary's Office.—WM. LAURENCE.

The examination of Joseph Laurence, of the said Island, upon oath, saith, That he was present on the 23d of Jan. when Mr. Edward Huggins, sen. was flogging his negroes in the market-place; and that the number of lashes given the negroes, by drivers, as stated in the deposition of Mr. John Burke, jun. is just and true: that deponent saw one of the negroes, after he was whipped severely, scrape the blood from his buttocks and drink it.

JOSEPH LAURENCE.

Sworn before me, this 31st Jan. 1810,
at the Secretary's office.—WM. LAURENCE.

The examination of George Abbott, Deputy Naval Officer of the said Island, upon oath, saith, that on the 23d of Jan. 1810, he counted three hundred and sixty-five lashes, and that a negro-woman passing his house, said, he would die. This deponent asked her if all the lashes were given to one person, to which she answered, yes: that deponent then went down in town, and saw a yellow negro in the market-place, which appeared severely whipped.

GEORGE ABBOTT.

Sworn before me, this 31st Jan. 1810,
at the Secretary's office.—WM. LAURENCE.

A bill of indictment having been preferred against the said Mr. Huggins, in consequence of one of the female slaves, he was acquitted, on which occasion Mr. J. W. Tobin addressed an animated letter to the Governor, asserting that the jury was packed; and that their verdict excited the surprise and indignation of the respectable part of the community.

In the letter of Lord Liverpool to the Governor, also adverting to the heinousness of the transaction, he says, "I am commanded by his Royal Highness the Prince Regent to direct that you will remove from that honorable situation any Magistrate or Magistrates who actually witnessed the infliction of the punishment without interference; and, that he cannot receive from the Council and Assembly of the Virgin Islands a more flattering assurance of their regard to the wishes of their Sovereign, and of the interest they feel in supporting the honour of the British name, than their anxious endeavours to ameliorate the condition of that class of beings, whose bitter and dependant lot entitles them to every protection and support."

Let us now bring forward the narration of an individual, on the sufferings of African slaves in the British West India Islands.

"I am innocent of this blood, see you to it."

The following are extracts from a work lately published by Dr. Pinckard, Inspector-General of Hospitals, and Physician to the Bloomsbury Dispensary, intituled, "Notes on the West Indies:"—The facts took place at an English plantation in Demarara, where the Doctor was stationed himself at the time.

"Two unhappy negroes, a man and a woman, having been driven by cruel treatment to abscond from the plantation of Lancaster, were taken a few days since, and brought back to the estate, when the manager, whose inhuman severity had caused them to fly from his tyrannic government, dealt out to them his avenging despotism with more than savage brutality. Taking with him two of the strongest drivers, armed with the heaviest whips, he led these trembling and wretched Africans early in the morning, to a remote part of the estate, too distant for the others to hear their cries; and there tying down first the man, he stood by, and made the drivers flog him with many hundred lashes, and on releasing him from the ground, it was discovered that he was nearly exhausted: and in this state the inhuman

monster struck him with the butt end of a large whip, and felled him to the earth; when the poor negro, escaping at once from his slavery and his sufferings, expired at the murderer's feet. But not satiated with blood, this savage tyrant next tied down the naked woman, on the spot by the dead body of her husband, and with the whips, already deep in gore, compelled the drivers to inflict a punishment of several hundred lashes, which had nearly released her also from a life of toil and torture.

Hearing of these acts of cruelty on my return from the hospital, and scarcely believing it possible that they could have been committed, I went immediately to the sick-house to satisfy myself by ocular testimony; when, alas! I discovered that all I had heard was too fatally true: for, shocking to relate, I found the wretched and almost murdered woman lying stark naked on her belly, upon the dirty boards, without any covering to the horrid wounds which had been cut by the whips, with the still warm and bloody corpse of the man extended at her side, upon the neck of which was an iron collar, and a long heavy chain, which the now murdered negro had been made to wear from the time of his return to the estate.

The flesh of the woman was so torn, as to exhibit one extensive sore from the loins almost down to her hams; nor had humanity administered even a drop of oil to soften her wounds. The only relief she knew was, that of extending her feeble arm in order to beat off the tormenting flies with a small green bough, which had been put into her hand for that purpose by the sympathizing kindness of a fellow slave. A more shocking and distressing spectacle can scarcely be conceived. The dead man, and the almost expiring woman, had been brought home from the place of punishment and thrown into the negro hospital, amidst the crowd of sick, with cruel unconcern. Lying on the opposite side of the corpse was a fellow-sufferer in similar condition to the poor deceased. His buttocks, thighs, and part of his back, had been flogged into one large sore, which was still raw, although he had been punished a fortnight before.

A few days after the funeral, the attorney of the estate

happened to call at Lancaster, to visit the officers, and the conversation naturally turned upon the cruelty of the manager, and the consequent injury arrived to the proprietors, we asked him what punishment the laws of the colony had provided for such horrid and barbarous crimes, expressing our hope that the manager would suffer the disgrace he so justly merited; when to our great surprise the attorney smiled, and treated our remarks only as the dreams of men unpractised in the ways of slavery. He spake of the murder with as little feeling as the manager who had perpetrated it, and seemed to be amused at our visionary ideas of punishing a white man for his cruel treatment of slaves.

"To the question, whether the manager would not be dismissed from the estate? he replied, "Certainly not," adding, "that if the negro had been treated as he deserved, he would have been flogged to death long before." Such was the amount of his sympathy and concern! "The laws of the country," he said, "were intended to punish any person from punishing a slave with more than 39 lashes for the same offence; but by incurring only a small fine he could at any time punish a negro with as many hundred lashes as he might wish, although the Governor and the Fiscal were standing at his elbow."

That the slaves universally believe in transmigration to Africa, after their decease, and that this renders them often desirous to terminate their miseries by suicide, which masters have the greatest difficulty in preventing, are statements pointedly made by Dr. Pinckard. But his account of two negro funerals, which he witnessed himself, are still more striking, as evidence of the *humanity* of planters, and the *happiness* of their slaves. At both these solemnities, the most unbounded marks of joy, and, as it were, congratulation formed the rude ceremonial. The corpse of the happy negro, now rescued from his chains by a power against which not even white men could contend, was followed by his surviving comrades, singing and capering for joy; and asking him, like the barbarians of the polar circle, why he died, or lamenting that he had left them, but

ing the exclamations of envy, of hope that they repeatedly follow them, and of confidence that the trial their death would prove also the signal of relief from wretchedness.

A wretchedness is occasioned at slave sales, by the tion of their friends and relatives. This dreadful and heartbreaking scene has, perhaps, been [illegible] The following description of a [illegible] exhibited at a sale, with a son and three [illegible] instances [illegible] of the parent, lest she should be separated her children, or they from each other, were anxious [illegible], beyond all that imagination could paint, or [illegible] Whilst any one approached little group, or advanced to look towards them with the eye of a purchaser, the children in broken sobs, [illegible] together, and the fearful mother in agonising [illegible] fell down before the spectator, herself to the earth, and kissed his feet, their clinging to his legs, and pressing her children to [illegible] the dust beneath her, chequered her [illegible], and in anguish cast up a look of [illegible] on, which might have found its way even to the heart Caligula: and that, on Nature's truest language, did parent urge the strongest appeal to his com- while she implored the purchaser in dealing for to [illegible] for slavery, to spare her the additional [illegible] ing torn from the children.

ough Dr. Pinckard is always well received [illegible] ers—lived in their society on a footing of the closest ey—was a witness of all the good as well as the evil ers—and is, in every respect, most naturally properly inclined to vindicate them, where such will it; yet his whole volumes, abounding in every [illegible] formation, containing all the results of his attentive, varied observations on the state of the slaves, as well as e colonies in general, do not offer to the most attentive al one single fact or circumstance approaching to ce of the evil so often imputed to the trade.

Their whole conduct offers not a fact to contradict, nor even in any degree to weaken the mass of evidence upon which former writers on colonial affairs have long since noted that detestable enormity. On the contrary, the Chronicle teems in every page, new examples of its evils, and new grounds for its abolition.

Of the treatment of the other "enlightened nations of Europe," who for more than a century past have held possession of parts of the West India Islands, we know but few particulars; but rumour always proclaimed them to be as "refined in cruelty" as the English. In Saint Domingo, an island nearly as large as England, thousands upon thousands of blacks have been murdered by French and Spaniards, until the oppressed ruined their oppressors, and in turn annihilated them.

But let us now turn to charges of an American writer upon his own countrymen, and see whether we cannot, if possible, still greater cruelties inflicted upon their own slaves, in their own boasted land of liberty.

Mr. John Parrish, an American born citizen and an enlightened Quaker, in a pamphlet published in Philadelphia, 1806, by Kimber, Conrad and Co. (who have unquestionable respectability in London) says:

"There is a species of slave trade carried on in the United States, which in cruelty equals that in the West Indies. Drivers of men whose minds seem to have become almost callous to every tender feeling, having agents in various places suited to their purpose, who travel through different states, and by purchase or otherwise, possess considerable numbers of these people, which consist of every condition and description of the nearest connexions in life. Husbands from wives, and parents from children, under painful sensations, marked on their mournful countenances disregarded are taken in droves through the country like herds of cattle, but with less commiseration for the

This pamphlet is in the possession of the editor of this work, really to be regarded as a purely valuable

ained or otherwise fettered, the weight and friction
shackles naturally producing much soreness and
ey are greatly incommoded in their travels. Jails
t for the security of such as have forfeited their
s by a breach of the laws are, through the counte
ecome of the magistracy, made receptacles for
d pilfer and plunder; and when opportunity presents
ing them further, it is generally in the dead of night
ir cries might not be heard, nor legal methods
such as have been kidnapped. Others purchased
ports or cellars of private houses till the numbers
g nearly equal to the success which may have been
d, they are then conveyed on board, and crowded
he hatches of vessels secretly stationed for that
and thus transported to Petersburg in Virginia, or
her ports as will insure the best markets, and many
shed by land to a more distant place. But
r not a melancholy circumstance that such an
ible trade should be carried on in a land boasting of
While I was writing with others on the legislative
land on this subject in 1792, it was well known that
ly in the river below Baltimore, to take in slaves,
ere frequent on the waters of Maryland, Delaware
other places. [illegible] to prevent
evidence of a free African will not be taken against
ment, and therefore he may be unpunished. Many
ny of the people of colour, who had fled to remain
ing sold as southern traders, have, by authority of
ws law, been pursued, brought back, and sold to
the description; and no government has attended
them any redress, to God only would they look for
. Thus whether it be for or against the unfortunate
black people, while of the fugitives few recover
edom or retain it when they do, the dismal scene of
is varied but not removed.
some places, cognizance is taken of murder, during
s perpetration. In Great Britain, the Devonshire
n Africa for trading with the Indians, by
d, which occasioned the death of many

[redacted]

recorded fifty or twenty years afterwards. How have the coloured people's lives been spurned with in every part of the United States! Numbers have been whipped to death, and otherwise murdered, and little or no notice taken in judicial capacity. It was reported, from good authority, that a black man, who was sold from near Snow-hill in Maryland, to a distant part of the continent, returned back and lay out of doors. Being accused of stealing from his neighbours, he was pursued, taken, and brought into the village one morning, and there hung without judge or jury, of which no more notice was taken than if they had a dog!—

It was a just observation of Thomas Jefferson late President of the United States, that the whole commerce between master and slave is one perpetual exercise of the most unrighteous passions on the one part, and degrading submission on the other. Many instances have occurred and those of a recent date, where the slaves have rather chosen death, than to remain in a state of bondage liable to be separated from all that is dear to them. Some have plunged into the water, and drowned themselves; others have cut their throats—and in particular, lately, in Delaware county gaol, and another, in the prison in Philadelphia, finding they were about to be sent from their relatives to the West Indies. Others in attempting to make their escape, have resorted to desperate means for attempting it. A number of these unhappy people were taken from the eastern shore of Maryland, by two of the southern slave traders, called Georgia men, by name Henry Spiers, and Joshua Butts, who being concerned with the treasurer of the State of Georgia, and furnished by him with sixty or seventy thousand dollars of the treasury money, on their way returning with their purchases through Virginia, they were intercepted by their prisoners, and were afterwards apprehended, and several of them executed. When I met travelling through North Carolina a black man whose name was Samuel, being shot by one of his pursuers, and left wounded in the woods, they came to the ordinary where I had stopped to bait my horse, in order to procure

cart to bring the poor wretched object in. Another, I was credibly informed, was shot, his head cut off and carried in a bag by the perpetrators, of the murder, who received the reward, which was said to have been two hundred dollars, and that the head was stuck on a coal house at an iron works in Virginia. His crime was going, without leave, to visit his wife, who was in slavery at some distance. One Crawford gives an account of a black man being gibbeted alive in South Carolina, and the buzzards came and picked out his eyes. Another was burnt at the stake in Charlestown, in the same state, surrounded by a multitude of spectators, some of whom were people of the first rank;—the poor object was heard to cry, "not guilty—not guilty."

A Hodge on the eastern shore of Maryland sold thirteen of his slaves to a southern trader, among whom was a man, who was sent to gather oysters, while his wife was taken away; when he returned and found his wife was gone, he expostulated with his learned master, asking, "whether he had not been a faithful slave for more than twenty years; and requesting he might go after his wife:" but this boon of mercy was refused. A man by the name of Black, in Cedar Creek Neck, the latter end of April 1805, in the state of Delaware and County of Sussex, suspended a black lad; and, tying three fence rails to his feet, beat him to death, and then buried the body in the night. On discovery of the fact, the corpse was taken up, and by the coroner's inquest he was found guilty of wilful murder. It further appeared that Black had been the death of two unhappy victims before, which was kept secret. What makes the former murder more lamentable was, the lad was innocent of the crime he was charged with, viz. taking leather for a pair of shoe soles, which Black's son afterwards acknowledged he had taken. The murderer escaped justice.

The Hon. A. W. Hodge, Esq. proprietor, and one of the members of His Majesty's Council in this island, was indicted for the murder of one of his own negroes, of the name of Prosper.

The prisoner on his trial, being put to the bar, pleaded Not Guilty. The first witness called to prove the charge was a free woman of colour, of the name of Pareen Gerrans. She stated that she was in the habit of attending at Mr. Hodge's estate to wash linen; that one day Prosper came to her to borrow 6s. being the sum that his master required of him, because a mango had fallen from a tree, which he Prosper was set to watch. He told the witness that he must either find the 6s. or be flogged; that the witness had only 4s. which she gave him, but that it did not appease Mr. Hodge: that Prosper was flogged for upwards of an hour, receiving more than 100 lashes, and threatened by his master, that if he did not bring the remaining 2s. on the next day, the flogging should be repeated; that the next day he was tied to a tree, and flogged for such a length of time, with the thong of the whip doubled, that his head fell back, and that he could bawl no more.—From thence he was carried to the sick-house, and chained to two other negroes: that he remained in this confinement during five days, at the end of which time his companions broke away, and thereby released him; that he was unable to abscond; that he went to the negro-houses and shut himself up; that he was found there dead, and in a state of putrefaction, some days afterwards; that crawlers were found in his wounds, and not a piece of black flesh was to be seen on the hinder part of his body where he had been flogged.

Stephen M'Keogh, a white man, who had lived as manager on Mr. Hodge's estate, deposed, that he saw the deceased, Prosper, after he had been so severely flogged; that he could put his finger in his side; he saw him some days before his death in a cruel state; he could not go near him for the blue flies. Mr. Hodge had told the witness, while he was in his employ, that if the work of the estate was not done, he was satisfied if he heard the whip.

This was the evidence against the prisoner. His counsel, in their attempt to impeach the veracity of the witnesses, called evidence as to his general character, which disclosed instances of still greater barbarity on the part of Mr. Hodge. Among other examples, the witness, Pareen

Georges, swore that he had occasioned the death of his cook, named Margaret, by pouring boiling water down her throat.

Before the jury retired, the prisoner addressed them as follows:—

"Gentlemen, as bad as I have been represented, or as bad as you may think me, I assure you, that I feel support in my affliction from entertaining a proper sense of religion. As all men are subject to wrong, I cannot but say that that principle is likewise inherent in me. I acknowledge myself guilty in regard to many of my slaves; but I call God to witness my innocence in respect to the murder of Prosper. I am sensible that the country thirsts for my blood, and I am ready to sacrifice it."

The jury, after deliberation, brought in a verdict of Guilty.

There were six other indictments on similar charges against the prisoner.

From the period of his condemnation to his execution, Governor Elliott thought it expedient to proclaim martial law, and to embody the militia; no disturbance, however, took place. However, the Governor added, that "the state of irritation, nay, I had almost said, of anarchy, in which I have found this colony, rendered the above measures indispensible for the preservation of tranquility, and for insuring the due execution of the sentence against Arthur W. Hodge. Indeed, it is but too probable that without my presence, in a conjunction so replete with party animosity, unpleasant occurrences might have ensued."

MARY BATEMAN,

THE YORKSHIRE WITCH.

Executed at the New Drop, near the Castle of York, on Monday the 6th March, 1809.

MARY BATEMAN, the subject of this tragic memoir, was born at Aisenby, in the parish of Topcliffe, near Thirsk, in the North-riding of this county, in the year 1768. Her maiden name was Harker, and her parents, small farmers at that place, have always maintained a reputable character.

So early as at five years of age, Mary Bateman began to display a knavish and vicious disposition. At that age, she stole a pair of Morocco shoes, and secreted them for some months in her father's barn; at length she brought them out and pretended she had found them, but an enquiry proved that this was only one of those fraudulent devices which so strongly marked her future life. It is not uncommon for children to discover early propensities to vice, but it certainly is the duty of a parent, under the like circumstances to bring his child before the offended person, and after a full discovery of the little plot, make it ask forgiveness in such a way as shall completely deter it from repeating the same fault. This apparently is the only sure way to eradicate vice, and instil the principles of truth and virtue.

At so early an age she forfeited the confidence of her friends, and her subsequent behaviour was not calculated to regain it. Many were the frauds and falsehoods which she practised in her juvenile years; but we pass them over, to hasten to those flagrant acts of fraud, artifice and cruelty, which in her more advanced life, have rendered her so notorious.

About the year 1780, she left her father's house, and became a servant in Thirsk. In that town and neighbourhood she lived in various places, and quitted them under very suspicious circumstances. About the year 1787, she left Thirsk for York, and lived near a year in that city as a domestic servant; at length she was detected in some pilfering tricks, and left her place in disgrace, leaving behind her both her clothes and wages. From York she came to Leeds, this was in the year 1788.

During the time she had been in service, she had lived with a mantuamaker, and being naturally of a very sharp and active disposition, contrived to pick up so much of the art as enabled her to do a little business in that way, mixing with it a certain share of witchcraft, and making up the deficiencies of one concern, by the productive properties of the other. She was employed as a mantuamaker, when John Bateman first became acquainted with her; in the year 1792, after a courtship of three weeks, they married, and strikingly verified the adage, that "short acquaintance makes long repentance."

From this period she began to make a figure as a thief, a witch, and a smooth-tongued deceiver. As soon as they were married, not having a house of their own, they went into furnished lodgings, in High court-lane, Leeds. Not more than two months had passed over their heads before Mrs. Bateman broke open the box of a fellow lodger, and stole from it his watch, some silver spoons, and two guineas. This affair she got over by restoring the stolen property.—That she should rob other people's lodgers cannot be wondered at, when it is known that she robbed her own; a young man of the name of Dixon, who lodged with Bateman's when they were housekeepers, had as he thought frequently missed small sums of money out of his box; at length two guineas disappeared, and a strict inquiry proved that his hostess was the offender; he threatened, and she protested her innocence, but at length agreed to hush up the disgraceful business by returning him his money.

Some time after this she went to a linendraper's, in Leeds, in the name of Miss Stephenson, and begged that they

would send materials for three silk petticoats, one of which the said Miss Stephenson would keep, and return the other two. The articles were sent—and two of them returned, the other she retained, and directed that it should be charged to Miss Stephenson.

At another time she got a gown-piece and two coats of cloth, in the name of Mrs. Smith; and at another, a piece of flannel, in the same fraudulent way.

About a year after their marriage, they took a house in Mr. Well's yard, and furnished it in a tolerably comfortable manner; when one day, soon after post time, she went to the shop where her husband was at work with a letter, apparently overwhelmed with sorrow; this letter purported to be from Thirsk, where her husband's relations lived; and stated, that his father, who was the sexton and town's cryer of that place, had taken a dangerous illness, and intreated Bateman, if he wished to see his father alive, to hasten off to Thirsk directly. He laid down his tools, borrowed a small sum of his master, to defray the expences of his journey, and set off on the spur of the moment. Judge what must have been his surprise, when, on entering the town, he saw his *dying father* in the streets, crying, "To be sold by auction, &c." "I am glad," said the astonished son to his father, to see you so much better. "Better!" said his father, "nothing has *ailed* me." An explanation then took place, and it appeared that the letter was all a fabrication of the wicked woman's. The husband returned to Leeds enraged at the trick that had been put upon him, but quite at a loss to guess the motive. The motive, however, became sufficiently obvious at his return—she had, in his absence, dismantled the house, sold *every* article of the furniture, and appropriated the money, as she said, and as was probably the fact, to hush up some robbery she had committed.

Some time after this Bateman went to see his friends, and in his absence she sold his clothes, along with many other things that she had stolen from a neighbouring tayler.

In the year 1796, a tremendous fire broke out in a large manufactory in this town, and by the falling of one of the walls, many unfortunate people lost their lives. This was

mity which harrowed up the feelings of every individual in the town and neighbourhood, of common sensibility, Mary Bateman improved to the purposes of her wicked frauds. She went to Miss Maude, a lady known for her charitable and humane disposition, and telling her that the child of a poor woman had fallen a victim amongst the rest, and that she had not linen to lay the child out on, begged she would for pity's sake, lend her a pair of sheets—this request was complied with; but the sheets, instead of being applied to such benevolent purpose, were pledged at a pawnbroker's shop. Three similar instances occurred at the same time, and all the sheets were disposed of in the same way by this abandoned woman. Nor did her frauds from this calamity end here. She went round the town, representing herself as a nurse at the General Infirmary, and collecting all the old linen she could beg to dress the wounds, as she said of the patients who had been brought into the Infirmary, but in reality to dispose of them for her own emolument!

Bateman, disgusted with his wife's vile practices which were indiscriminately played off upon friend and foe—upon her husband and upon strangers, entered into the supplementary militia, but he took with him his plague, that is, his wife. And here a wide field opened for a genius of her disposition. She practised her old arts, and learnt fresh ones. Of her exploits while in this situation we have no information sufficiently specific, to lay before the public; but when she quitted the army with her husband in the year 1799, on their return to Leeds, they took up their residence in Marsh-Lane, near Timble-Bridge; Mary then began to practise on a large scale; the two grand qualifications by which she was distinguished in the estimation of love-sick girls, and nervous women, viz. *fortune telling* and *charms*. In both of these occult sciences she had acquired a perfection of knowledge. And if any consideration could awe and deter the credulous fair from paying attention to impostors of this description, it surely would be the punishment that awaited this worst of women. She could on all occasions foretel the fortune of another; but could by no means perceive the dark and

lowering cloud suspended over her own head. Mary Bateman had no doubt, in the early part of life been a consulter of fortune-tellers; but her keen perceptions saw through the cheat; and having been a pupil she next became a master in the art.—Such are the deceptive gradations of fraud and falsehood, first we countenance the practices of them in others, and then we are prepared to practise them ourselves.

Here her acts of wickedness were numerous and aggravated. At this time, she had not found out the fascinating name of *Miss Blythe*; the lady that then performed the mysterious rites was a *Mrs. Moore*; she herself, as she said had no skill in casting nativities, or reading the stars, but Mrs. Moore was quite a proficient in this way, and to Mrs. Moore she referred all knotty points—it is hardly necessary to say, that Mrs. Moore like Miss Blythe, had no existence but in the artful mind and lying mouth of Mrs. Bateman.

The first experiment in witchcraft, that has come to our knowledge while Mrs. Bateman lived in this situation, was made upon a Mrs. Greenwood, whom she attempted to persuade that she, Mrs. Greenwood, was in danger from domestic misfortunes of committing suicide, and that her skill would be necessary to prevent so dire a catastrophe. Next she informed her, that her husband, who was then from home, was taken up for some offence, and placed in confinement, and such was the enormity of his crime, and the resentment of his prosecutors, that four men had been set over him to watch him; and if four pieces of gold, four pieces of leather, four pieces of blotting paper, and four brass screws were not produced that night, and placed in her hands to give to Mrs. Moore to "screw down" the guards, her husband would be a dead man before morning. In vain did Mrs. Greenwood plead that she had no pieces of gold—this difficulty Mrs. Bateman proposed to overcome, by suggesting to her that she might either borrow or steal them—the latter proposal startled her intended dupe, and fortunately for her, she had fortitude enough to emancipate herself from the witch's trammels.

the family of Barnilai Stead, a person who had been successful in business, next became the objects of her pecuniary exactions. Upon the husband's fears she contrived to work with so much success, by representing the child to be in continual pursuit of him, that she obliged him to submit, and to share his bounty with her and her agitating wife-woman. Her next object was to arouse the jealousy of the wife; this she did by assuring her that it was the intention of Barnilai to take with him, when he joined his regiment, a woman out of Vicar-Lane, Leeds, to whom he said, was at that time pregnant by him. In order to prevent this calamity, it became necessary to circumvent the rival-queen; this was to be effected by the agency of Mrs. Moore, but Mrs. Moore's screws would not drive without money: three half crowns were to be raised for this purpose, and two pieces of coal; the coals were to be placed at the woman's door in Vicar-Lane; they were then to be laid on the fire—the woman was to be thrown into a sound sleep—the fire was to communicate to her clean clothes, which had been washed in contemplation of the intended journey, and the clothes being consumed, she could not of course elope without them. The feigning after this charm had taken effect, Stead left Leeds to join his regiment, and left the woman behind him, who from that time had never any existence but in the mischievous brain of Mary Bateman. She was then left at liberty to try off the whole artillery of her frauds upon the credulous and unsuspecting wife of Stead; to enter into all the expedients she adopted to impose this poor woman, would swell this article to an inconvenient length, we shall only mention a few of them, observing, that she obliged her to sell or pawn every article in her house that could raise money, and drove her to such a state of desperation, as to lead her victim to attempt the dreadful act of self-murder. While Mary Bateman was practising upon this woman, her dupe was confined in child-birth, and the Leeds Benevolent society, that Society which seeks out the sick and wretched, and administers to them aid, when they have no other helper, found this woman in her destitute situation,

and determined to apply a guinea to the relief of her present wants. This sum was given to her at three payments of 7s. each, and out of this guinea Mary Bateman had the art and inhumanity to extort 18s.!! Persuading the credulous woman that she would "screw down" the Benevolent Society, or as she explained it, make the managers that they *could not* refuse her relief whenever she thought proper to apply to them.

At another time she persuaded Stead's wife, that it was the intention of her husband's father to murder her, and that it was in the power of Mrs. Moore alone, to prevent the calamity; but even she, witch as she was, could not effect her preservation without the agency of money: for this purpose a guinea and a screw were to be placed in the hands of Mary Bateman, the guinea was raised by pledging some articles of the first necessity in her house—all almost that were left: the charm so far answered that her father in-law did not murder her, and for the best possible reason, the diabolical design had never entered the head of any person but Mary Bateman herself.

Terror was the great engine by which this woman carried on her frauds, and as the wife of Stead had still a few articles of furniture and clothing—the last sad wreck of their property, she persuaded her if something was not done to prevent it, her daughter who was then only about eight years of age, would, when she attained the age of fourteen, become pregnant of an illegitimate child, and that either she would murder herself, or would be murdered by her seducer, to prevent which, 17s. was to be placed in Mary Bateman's hands—this money she was to hand over to the invisible Mrs. Moore, who was to reduce the coin to a "silver charm," which charm was to be worn round the girl's arm till the period of danger was past, and which charm when the bubble burst three months after, was cut from the child's arm, but by a strange transmutation of metal, this silver had turned to pewter.

The furniture and clothes were now all gone, and nothing remained but a few tools left by Stead when he went into the army: but even these could not escape the cruel avarice

of Mary Bateman, who was never at a loss for expedients to effect her wicked purposes: She persuaded Stead's wife that it was in the power of Mrs. Moore—Mrs. Moore again! to "screw down" all the officers in her husband's regiment, and so to screw them, that they could not avoid giving him his discharge; but then money must be raised, and how? why nothing remained in the house but the tools, they of course must be sent to the pawnbroker's; there they went; and every farthing they fetched was paid to Mary, to get her friend Moore to interpose her *kind* offices for the liberation of the soldier. This charm failed, as the officers were too much for the witch.

In the midst of these scenes of fraud in one party, and weakness in the other, a relation of Stead's came over to Leeds in a state of pregnancy, and forsaken by her lover. This young woman was a fine subject for the artful Mary Bateman, who soon learnt her misfortune, and undertook, on condition that a guinea was given to her, for Mrs. Moore to make the lover marry the young woman. The money was paid, but no lover appeared. It was then found out that he was too strong for the first charm, and that more money and more screws would be necessary to screw him down to the altar of hymen. Still he came not; and the girl finding the money she had fast diminishing, procured a service in a respectable family in Leeds, the master of which being a bachelor, Mary soon contrived to persuade the silly girl that she could by her arts, oblige him to marry her. Here a difficulty arose—the unborn child was in the way; but Mary, ever ready to undertake any business however desperate, engaged to remove the impediment, and for that purpose administered certain medicines to the ill-fated young woman; these medicines produced the desired effect, and abortion ensued. The master after all was not to be caught; but the girl's former sweetheart coming over to Leeds, married her, though she was, at that time, owing as is supposed to the medicine given to her by Mary Bateman, in a very emaciated state, and in speaking of her connexion with this vile woman, she used the following remarkable expression:—Had I never known Mary Bateman, my child

would now have been in my arms, and I should have been a healthy woman—but it is in eternity, and I am over after it as fast as time and a ruined constitution can carry me."

We cannot pass over the misfortune and death of this young woman without a pause for reflection. When an unprotected and unguarded innocence has thus the calamity to be seduced and abandoned, the conflict at the idea of exposing her shame to the public, is indescribably great. The laudable pride of our nature revolts, and looks every where to find some avenue of escape. To think of a temporary retreat, the method often adopted by persons in better circumstances, almost universally fails of effect. Some unguarded circumstance betrays the whole plot, and involves perhaps a reputable family in a series of mortifying dissimulations, to impose upon the public. But to admit during the prevalence of passion, the idea of destroying an infant, is infinitely worse. The evils incurred are a thousand times greater than those which are avoided. What conscience, unseared? What mind which has the smallest vestige of humanity, can admit the idea of incurring an eternal anguish to avoid a moment's shame? Who, to hide a reproach from the public, and a reproach which future virtue may remove, would cause the mind for ever to be haunted with the idea of murdered innocence? Hence as the subject of this memoir was the sole adviser and first agent in this crime, we shall be less surprised at all the atrocities which follow.

A little before this time, Stead's wife had opened her eyes through the spirited interposition of a neighbour, to the impositions practised upon her by Mary Bateman, and had got free from the shackles with which she had so long been bound. When it was first suggested that she had been deceived, she thought it impossible—with difficulty the secret was wrung from her, that she had "charms" sewed up in different parts of her clothes. These charms she parted with as her life's blood, having been so infatuated as to suppose, the charms could not be taken away without

the loss of her life. But when they were removed, and she found she still breathed, and breathed more freely than before, the scales fell from her eyes, and she threatened Mary Bateman, that if she did not give her money to redeem her pledged clothes, furniture, &c. she would have her committed to prison for the fraud. The witch then raised her four guineas, and promised that the whole of her property should be redeemed; but she did not keep her word. It may gratify the curious to know of what materials a charm is made; It is a long piece of paper tied on a knot, inclosing a small piece of rag, and a piece of gilt leather.—Such at least were the charms found in the garments of Mrs. Steel.

While she lived in this situation, she became acquainted with a tradesman's wife of the name of Cooper; this woman she persuaded, that her husband, Mr. Cooper, was about to abscond, and to take with him all the property he could raise, and that she might not be left quite destitute, Mary prevailed upon her to convey as much of the furniture as she could out of the house, including an excellent clock, and to lodge all this furniture at Bateman's; there it did not remain long, Mary took it all to the pawnbroker; got for it all it would fetch, and left the abused husband and his credulous wife to redeem it at their leisure.

Two petty robberies about this time mark the course of this vile woman. The first of a watch which she contrived to steal from the sign of the Anchor, in Kirkgate, Leeds, then kept by Mr. Crookes; and her next exploit was the stripping of a clothes' hedge, in the presence of a boy who was set to watch the clothes.

Blown upon as the credit of Mrs. Bateman's witchcraft then was, she removed from Timble-bridge to the Black dog yard, at the Bank. While she lived in the above situation one of her hens laid a very *celebrated* egg, remarkable for bearing this inscription:

"*Crist is coming.*"

But as so singular a phenomenon was not likely to obtain all the credit necessary for carrying into effect her fraudu-

[redacted] intentions, unless supported by some kind of proof; she had the cruelty to force up at different times, into the ovary of the poor hen, two other eggs bearing similar inscriptions, and these were of course deposited in the nest; but that it was not *natural* to this hen to lay *marvellous* eggs is very clear, for on being removed out of Mary's possession, she produced eggs of the *common* kind. Persons however, flocked from all quarters to see the wonderful egg, and they who dared to disbelieve, and to insinuate that some fraud had been practised, stood as good a chance of being maltreated by a credulous multitude, as he who in Italy should venture to question the reality of the miracle wrought by the thumb of *Thomas the Apostle*, or he who in Spain should be so foolhardy, as not to fall down and prostrate himself before the miraculous works of the Lady of the Pillar! Mary's motive for producing these eggs is not well made out, but it is supposed that she had at that time a notion of imitating a certain other celebrated woman, by taking upon herself the priestly office, and in order not to set out in the world without stock, she very prudently resolved, that those who came to see the miracle, should pay for the gratification of their curiosity; a penny each was therefore demanded from the inquisitive multitude. And in justice to Mrs. Bateman, we must say, that we do think this miracle of hers, as good in its kind, and proceeding from as worthy a motive, as any miracle that has been wrought these sixteen hundred years!

Numerous as have been the unfeeling and unnatural frauds of Mary Bateman, none of them exceeded in cold-blooded villainy the act which follows:—A person of the name of Rebecca Fisher, with a family of seven children, was confined in child-bed; on the first day of her confinement, Mary went to visit and condole with her, and as the poor woman's circumstances were too low to hire a nurse, the neighbours performed for her those little domestic offices, that people in her situation stand so much in need of; Mary amongst the rest tendered her services, but she determined not to let those services go unrewarded, for she actually stole

into this distressed family two of the children's shirts and a loaf of bread.

While Mary Bateman lived at the Bank, she committed another of those atrocious acts, that show her to have been destitute of all the feelings of humanity. A poor mad neighbour, who earned his living, and supported his family with the assistance of a horse and cart, sickened and died, leaving a widow and four children, the eldest a boy about 15 years of age. The widow, who was only the step-mother of these orphan children, was persuaded by Mary Bateman that the eldest boy meant to sell all the little property his father had left, and appropriate the money to his own use; to prevent which, she advised the mother to sell the horse, cart, and furniture, as soon as possible, and to quit Yorkshire; this advice the infatuated woman took, turned every thing into money, and left the children to go to the workhouse; what became of the unnatural mother was never known, except perhaps to her deceiver, for she quitted Leeds, and has never since been heard of.

One day while standing in the Shambles, a gentleman, living in Meadow-lane, in Leeds, bought a leg of mutton, and requested that it might be sent home immediately. Mary, ever on her watch for her prey, hastened to the bridge, over which the butcher's boy had to pass, and when she saw him approach, made towards him in a great hurry, pretended that she was the gentleman's servant, scolded the boy for being so long on the road, and taking the mutton by the shank, gave him a bump on the back, telling him she would carry it home herself. It is almost unnecessary to say, that when the time for preparing dinner came, the joint had not arrived. The master went to his butcher to inquire about this neglect, but he was informed that the meat had been sent an hour ago, and was taken from the boy by a woman, whom he described, and whom the gentleman recollected to have seen at the stall when he was buying the meat, and whose residence he luckily knew to be in the Old Assembly room-yard, in Kirkgate; he accordingly posted down to her house, and the first object that presented itself was his leg of mutton hung at Bateman's fire. After upbraiding her with the

theft, she agreed to pay for the mutton, and the matter was compromised.

But all those artifices, frauds, and impositions, however flagrant in themselves, bear little proportion to the larger scale of crimes on which she now advanced. The wicked subject of this narrative contrived to ingratiate herself, as she well knew how, into the good graces of a family of the name of Kitchin, two maiden-ladies of the quaker persuasion, who kept a small linen-draper's shop, near St. Peter's square, in Leeds; there is every reason to suppose that she had deluded these unfortunate young women with some idea of her skill in looking into futurity, or at least, that some of her friends, a Mrs. Moore, or a Miss Blythe perhaps, could read their destiny in the stars! Miserable delusion! How many harmless people have been its sacrifices, is only known to him from whom no secrets are hid. For some time Mary was the confident of the Miss Kitchins. She was frequently at their house; she assisted in their shop; and even to their domestic concerns her interference extended. In the early part of September, 1808, one of the young women became ill; Mary Bateman procured her medicines, as she said, from a country doctor; these medicines, like those administered to Perigo and his unfortunate wife, were of powerful efficacy, and in the course of less than one week Miss Kitchin died. In the mean time, her mother, hearing of her dangerous situation, came over from Wakefield, and though in good health when she left home, the mother as well as her other daughter took the same illness, and a few days placed them in the chambers of the grave, at the side of their ill-fated relation.

Previous to the death of one of the sisters, a female friend of the family was sent for, and when she arrived, the poor sufferer seemed oppressed with some secret that she wished to communicate, but her strength failing her, she expired, and with her the cruel history of her fate.

Only ten days elapsed from the time this family became sick, to the time of the death of the mother and two sisters; the complaint of which they died was said to be the *cholera morbus*; a complaint, let it be remembered, attended by

a poison resembling those produced by poison. It did not, however suit the purposes of Mary Bateman to give the disease so mild a name, she represented it to be the plague, and the whole neighbourhood shunned the place, and did as soon have entered into the most infectious wards of a pest-house, as into this dwelling. Mary alone, in the midst of all danger, was ready to afford her *friendly* aid; and when the persons composing this unfortunate family were buried, the door was closed, and a padlock put upon it.

It ought to have been observed, that a physician of eminence in the town, on being called in to visit the last surviving sister, was so strongly impressed with the opinion that her sickness and sudden death proceeded from poison; that he examined, with much care many of the vessels in the house, inquired if any water for poisoning flies had been left, and expressed a wish to open the body; but the family being all dead, and no person at hand who thought themselves authorised to give that permission, the corpse was never opened, and with it the opportunity of detection. It ought to be remarked, that during the time of the fatal illness in Miss Kachen's house, Mary Bateman was unremitting in her attention; she administered their food, and from her hands the medicine was conveyed to their lips. Some time after the death of these ladies, their creditors looked over their effects, when it was found their house and shop had been plundered of almost every thing they contained, and to add to the embarrassment of their affairs, the shop books were missing; in fact, their property had dwindled down to nothing; so nearly so, at least, that the creditors only divided eight-pence in the pound!

Of two young women, then servants in Leeds, had long been the toils, and she had fleeced them pretty handsomely; and not only them, but their friends, for she had prevailed upon one of them to rob her mother of several articles, and amongst the rest a large family bible. When she had got from them that could be extorted without awakening the suspicions of their friends, she sent both these deluded girls, at different times, to seek services in Manchester,

cautioning them if they met, not to speak to each other, on pain of breaking the charm. When they arrived in Manchester, Mary contrived to keep up a correspondence with them, and got from them even the clothes they wore, so that they were almost reduced to a state of nakedness! One day these poor destitute girls met in the streets of Manchester—the meeting being quite unexpected, they both burst into tears, and their emotions became so violent, that further concealment was out of the question; they thereupon related to each other their sad history, and by comparing notes, found that they were both the dupes of Mary Bateman. They then wrote to Leeds, and laid their case before their friends who interfered in their behalf, and got from the witch part of the property she had so wickedly extorted. Be it remembered however, and let the remembrance prevent others from falling into the same snares, that though all the girls' money and clothes went, no husbands came!

Another case resembling this has come to our knowledge but in this part of the narrative names are suppressed, to prevent those who have already suffered severely for their folly, suffering a second time. Some of them are still in service, and convinced as they are, by dearbought experience, of their former weakness, we are little disposed, by the exposure of their names, to lessen the confidence they possess in the families in which they live. The witch had contrived to ingratiate herself into the good opinion of the young woman to whom we now allude, and had got from her several sums of money for the purpose of curing her of an "evil wish," laid upon her by an old beggar woman whom she had refused to relieve. This cure was to be effected by Miss Blythe, to whom a pocket handkerchief was to be sent. In due course the directions arrived, and Miss Blythe, who like Mrs. Moore, could never put her charms in motion without money, required that different sums, amounting in all to five guineas, should be produced, and as much wearing apparel as was worth about the same sum; but this money and these clothes were only to be kept till the *evil wish* was removed, and then to be restored

to the owner. The period fixed for the opening of the mysterious bags in which these articles were deposited had arrived, when one day a person brought a fruit pie to the young woman, telling her that her sweetheart had sent it. This pie she tasted, and let a fellow-servant partake with her, but though very nice in appearance, the taste was extremely hot and offensive; they in consequence desisted from eating it, and the young woman took it down to Mary Bateman, to ask her opinion. Mary affected that she knew nothing herself of such things, but she would send it to the ingenious Miss Blythe. This, as the simple girl, supposed, was done, and Miss Blythe informed her that it was very well she had not eaten much of the pie, for if she had, it would have been her last, as it was "full of poison!" Soon after the girl opened the mysterious bags, and found that her guineas had turned to copper, and her clothes to old rags!

Credulity and vice were Mary's best friends. Instances of her skill in turning the former to her own purpose, will be found very plentifully spread through this history. The circumstances now to be related refer to the latter. A young man, with whom she was acquainted, had made a young woman a mother without making her a wife; the child, however was not yet born, and Mary persuaded him that she could by her "charms," prevent the girl fixing it on him; but two guineas were necessary to make the charm take effect; the two guineas were accordingly paid—the child notwithstanding, came at the appointed time; (if the *mother* had applied to the witch instead of the *father*, this might have been prevented,) but it came and was sworn to its proper father; enraged at being thus duped out of his money, he swore vengeance against his deceiver, and Mary to appease him returned the two guineas, which she had not by her, but as the story goes, she was met by a "*man in black*" as she was going out of her house, and he gave her the money.—Black or white, the money was restored.

In the year 1807, Bateman's family, who owing to the villainous conduct of Mary, never remained long in one place,

removed into Meadow-Lane; while living in this situation a very extraordinary circumstance occurred, and the opinion of the people in the neighbourhood was, that she was in some way privy to that transaction. A man of the name of Joseph Gosling, a cloth-dresser, had been long out of employ; and his family, which consisted of a wife and four children, were reduced to great extremity of want. One day, the whole family had been out for some time, when one of the children, a boy about 7 years of age returned, and found on the hob a small cake; the mother and others of the children soon after returned and partook of this cake, which they soon discovered had a very keen and pungent taste, this however did not prevent them eating several mouthfuls of it; they soon after became sick to such a degree, as to render medical aid necessary.—Mr. Atkinson the surgeon, was then sent for, and by administering emetics, saved the lives of the family. On analizing the cake, it was found to contain a large quantity of arsenic. It is impossible to say, why or by whom the poisonous bread was placed in the situation in which the boy found it, and the only reasons why it is supposed to have been placed there by Mary Bateman, is the knowledge that poisonous drugs were much in use by her—that human life was in her estimation of little value, and that the mischievous tricks of the children, might inconvenience her. None of all these motives, are such as would influence people in general, to punish the children with any severity of punishment, but it must be recollected, that the conduct of such women as Mary Bateman, if any such are now left alive, is not to be measured by the same standard as we should measure the conduct of other human beings.

In the month of April 1807, Judith Cryer, a poor old washer-woman, and a widow, occasioned some uneasiness, by an impropriety in the conduct of her grandson, a boy of about eleven years of age. Winifred Bond, a person who had some dealings with Mary Bateman, either as her dupe, or her agent, recommended the old woman to apply to Mary, as a person who could remove the cause of her distress. Judith consented to consult her; Mary soon

mind out the foible of the poor woman; it was indeed a striking feature in her character, to discover the peculiar weakness of her dupes, and by directing the artillery of her words to that part, she contrived to effect her vile purposes. An inordinate fear about the future fate of this darling grandson, was the spring in Judith's mind, on which the witch found she could play with the most success; she recommended that an application should be made to Miss Blythe, a lady of her acquaintance, who she said lived at Isasbro', but who in fact had no more existence than the amiable Mrs. Moore. She then undertook to write to her *own friend*. In a few days an answer was received from this lady which shocked Judith beyond description; the letter contained a representation of a gallows, with its usual appendage, a rope; (that instrument by which the witch but since paid the forfeit of her own life to the offended laws of God and man) the letter also stated that the grandson would be executed before he attained the age of 14 years, unless the melancholy catastrophe was prevented by the old woman raising four guineas, and applying it as Miss Blythe should direct. To raise such a sum seemed as impossible to poor Judith as to pay the National Debt. At last however she contrived to scrape it together, with the most extreme difficulty. When raised, it was as they pretended, to remain unapplied till she received further instructions from Miss Blythe; the instructions at length arrived, and ordered that three guineas should be put into a leathern bag, and sewed up in Judith's bed, where they were to remain untouched and unlooked at, until the boy had attained the age of 14. The former part of these directions, were, as far as concerned Judith, faithfully complied with. Mary as she thought deposited the money as directed; but when the witch was apprehended, for her depredations on William Perigo, which will be mentioned more particularly hereafter, Judith opened her bed, took out the bag, and found it empty! The guineas had disappeared! And this was the only witchcraft in the case. To add to the cruel exactions of Mary Bateman, she had obliged poor Judith to wash for her three months to defray the

expences of postages, incurred in the sending of letters to and receiving them from Scarborough. Letters that were never sent or received.

In the year 1808, Bateman's family removed to Camp field, in Water-Lane, and here Mary met with a new and profitable subject, for the exercise of her villainous arts.—The wife of James Snowden, a neighbour, had a sort of presentiment, that one of her children would be drowned; but whether this notion proceeded from some terrific ideas originating in her own mind, or was suggested to her by Mary Bateman, we are not informed, though after the skill in that way displayed in the case of Judith Cryer's grandchild, it is natural to suppose that it arose from Mary's suggestions; whatever might be the cause of this opinion, Mary Bateman offered her services, or rather the services of Miss Blythe, to prevent the effect and save the child from a watery grave. Miss Blythe was then represented to be at Thirsk, and a letter was received from her, directing that James Snowden's silver watch should be sowed up in the bed by Mary Bateman; this was accordingly done. And here it may not be improper to remark, how artfully this wicked woman carried her plans into execution. The charms were put in the bed, in that place where of all others, they were most likely to operate on the minds of her dupes, or her victims. Here during the silent watches of the night, when the mind is most susceptible of frightful ideas, the unhappy people would reclining their bodies on the charm, rivet the fantasies it conjured up, so strongly in their imaginations, as to make them immoveable.

Next, money to the amount of twelve guineas was required, to prevent the boy being drowned; for this purpose letters were received, or rather appeared to be received from Miss Blythe, who directed that this money should also be sowed up in the bed, to be restored to the abused people as was pretended, when the charm had taken effect. By and by it was found necessary to increase the terrors, and in addition to the death of the son, Miss Blythe suggested, that the daughter would become a prostitute, unless the family left Leeds, and removed to Bowling, near Bradford. The

bed, containing the charms, they were allowed to take with them, but it was thought expedient to leave a considerable portion of their property in the house, and leave the key with Bateman's.

At length they expressed a wish to be allowed to rip open the bed, and take out the watch and money, but the proper time they were told, had not yet arrived; and before the property was taken out, the family of Snowden was to take a *dose*, which was at that time in preparation for them, and was to have been administered about the end of October, 1809. Happily for them this dose was never taken.

At this juncture, so critical to the family in question, Mary Bateman was apprehended for the frauds committed on William Perigo's family, and the wilful murder of Perigo's wife, by administering poison, of which she had died nearly two years before. This event naturally created a good deal of interest, and a narrative of the transaction was published in the Leeds Mercury of the 22d of October; the evening of that day Snowden was passing in a public-house at Bradford, when the Mercury was produced, and the narrative read by some person in the company. Snowden heard the relation with violent emotion, and as soon as it was finished, he started from his chair and hurried home with all possible expedition. His first care was to give his wife a hasty and confused notion of the imposition that he supposed had been practised upon them, and next to unrip the folds of the bed; when lo! instead of a watch and money, he found—a coal! He then came over to Leeds, and found his house, which he had left in the care of Mary Bateman, plundered of almost every thing it had contained; and on a search warrant being procured, part of the property was found in Bateman's house.

Another anecdote of Mary's latter dexterity and deception we think worthy of being recorded; the precise time we have not ascertained, but the fact is indisputable;—she took a jaunt to York, and there looked around for some objects of credulity, and well knew that those who had *faith* enough to give credit to *Joanna Southcott's* fancies, would

be the fittest persons on whom to impose her delusive and vile arts, she entered the house of a poor widow woman, that resided in an alms-house, and begged to be informed, if there were any of *Joanna's* followers in the city? Said that she was a stranger, and had come to York to spend a few days, and would be extremely glad to spend some time in their company. The widow replied, that there were several such persons in the city, and that she believed in Joanna herself. Mary expressed high pleasure, that her good fortune had directed her to a *believer*. By the bye, it is here proper to note, that the deep-scheming wretch is believed to have previously attended some of these people's meetings, and there marked out this unfortunate widow for her prey.

Mary then began to intreat, that the widow would have the kindness to point out some sealed friend's house, where she might lodge for a few days, and where she might enjoy their precious company. The widow could not recollect any *believer*, that was likely to take in a lodger; upon which Mary's countenance became very sad. The kind widow, observing it, added, that tho' it would be inconvenient for her, yet as she seemed to be a clean kind of woman, she should have a part of her bed, which produced a flood of thanks from her grateful guest.

Mary now wishing for an opportunity to reconnoitre the widow's trunks, begged of her to go and buy her a little meat, urging, that she was so unacquainted with the city, she could not go herself, (not choosing to recollect that she had lived in service in York, for a length of time;) this, however, the widow declined, prudently considering it rather improper to confide so far in a stranger, and procured a girl who was dispatched to buy the meat. Soon as the mutton was boiled, Mary took care to eat it all herself, but the broth she offered to her hostess; the widow not having been invited to partake of the meat, refused to accept the broth, and Mary urged her to sup it again and again, and again and again lamented that it should be wasted. However, much against Mary's will, the broth was at last thrown out, and since Mary found lodgings in the Castle, the widow strongly

suspects it was *Batemanized*, and intended for her destruction, for Mary took care not to touch it herself.

After a day or two thus spent in mutual harmony and *edification*, Mary decamped; but how was the widow surprised, and vexed to find her coffer emptied of a few guineas, of which her daughter had lately made her a present, and her house stripped of some of her wearing apparel.—But Mary was gone to start fresh game.

Few hearts are so hard as not to feel the impress of tenderness towards a parent, or affection towards a brother. But in the obdurate subject of this history, either those feelings had been obliterated, or had never been brought into existence, as the following incident will show:—A brother of Mary Bateman, who had deserted from his Majesty's navy, came with his wife to live in Leeds, and lodged with Bateman's. Mary finding that her lodgers were a restraint upon her, determined to be quit of them: for this purpose she wrote, or procured a letter to be written to her sister-in-law, stating, that her father was on the point of death, and summoning her to attend to receive his last blessing. The affectionate daughter answered the summons instantly, but when she arrived at Newcastle, where her father lived, she found him in perfect health.—In the absence of his wife, Mary contrived to persuade her brother, that she was inconstant and was plunging him in debt, and so far succeeded as to induce him to write to his wife, and tell her she need not return, for he would not receive her. She did however return, and convinced him of her innocence; when on examining their trunks it was discovered, that Mary had in the wife's absence stolen their clothes, and disposed of them for what they would raise.—This as might be expected roused the brother's indignation, but she soon removed him out of the way, for she actually went before the magistrates, and lodged an information against him as a deserter; he was in consequence obliged to quit Leeds, and afterwards entered into the military service. This did not however content Mary, she wrote to his mother and consequently to her own, told her that her brother had been apprehended as a deserter, and that if she could send 10*l.* a substitute was

ready to go, and would be accepted in his stead. The ten pounds were sent—Mary pocketed the money, and, unfeeling wretch as she was, laughed at the misery her vile arts had produced.

On the 21st of October, 1808, Mary Bateman was apprehended by the Chief Constable of Leeds, on a charge of fraud, and was, after undergoing several long examinations, before the magistrates of the borough, committed to York Castle, on suspicion of the wilful murder of Rebecca Perigo, of Bramley. At the Assizes she took her trial.

The first witness examined on the part of the prosecution, was Sarah Stead. She stated, that she lived at Leeds, where she had resided five years; knew Wm. Perigo and his wife, who was her aunt, and they had resided at Bramley, near Leeds, as far as her memory extended. On Whitsuntide, 1806, she went to Bramley to visit her aunt, who complained of a fluttering in her side, and which her aunt said she had been informed arose from having an "*evil wish*" laid upon her. Witness mentioned the prisoner as a person whom she thought could cure her; she did not then know her name, but she was acquainted with her person, and she then lived in the Black-Dog yard, at the Bank, in Leeds. Witness said, she called at the prisoner's house the same day, and told her she had been at Bramley, and had found her aunt very low and poorly, and that William Perigo had been to some country Doctor who told him his wife had had an "*evil wish*" laid upon her. The prisoner told the witness she knew a lady who could cure her aunt, but did not mention her name or where she lived; said she would write to her, and would have an answer in a fortnight. William Perigo came to her on the Tuesday following, and she directed him to the Black-Dog yard, Bank, there to inquire for Mary Bateman. When she, the witness, was at Mary Bateman's on Sunday night, she desired her to tell her aunt to send a flannel petticoat, or any garment worn next the skin, for her to send to the lady. Witness said, she was then servant to Mr. Skelton, of Leeds.

William Perigo stated, that he lived at Bramley, was, or rather had been, a clothier, and was 48 years of age; that his wife's name was Rebecca Perigo; that he had been married twenty years to her, and that she was the same age as himself within a month; that his wife had in general a very good state of health; was never confined a week to her bed on account of illness since they were married. In the spring of 1806, his wife complained of a *flacking* in her breast, whenever she lay down; remembers his niece, Mary Stead, calling at his house, and that in consequence of what she had told them, he went to the prisoner's house, taking with him the under garment of his wife; that he found the prisoner at the door of her house, and on his enquiring for her, said, she was the person. That this first meeting was at the latter end of July, 1806. Prisoner desired him to walk into the house, and asked him if he was Sarah Stead's uncle, and if he had brought the flannel petticoat, to which he replied in the affirmative. Prisoner then said she would send it to Scarbro' by that night's post, to a lady she called *Miss Blythe*, and he, the witness, was to call again on Tuesday or Wednesday following. The first meeting was on a Saturday. Accordingly the witness went again to her house on the day appointed, when the prisoner informed him that she had received a letter from Miss Blythe, of Scarbro', *of what his wife was to do*. The prisoner then read the letter to him, which directed Mary Bateman to go to W. Perigo's house, at Bramley, and take with her four guinea notes, which she, Miss Blythe, had sent to her, and put them in the bed which Perigo and his wife slept in, one in each corner, and they were to remain there 18 months, or they would do no good at all; and that Wm. Perigo was to give her, the prisoner, four other guinea notes for them, which were to be sent to Miss Blythe, at Scarbro'. The letter also stated, that his wife had broke the former charm by talking about it; and that she Miss Blythe, would not take her under hand unless she would make her a promise never to mention a word of what was going on. This letter he said, was signed Miss Blythe. At this meeting, the prisoner agreed to meet the wife of the witness on Kirkstall-bridge, on the 4th of August, *his wife went* at the time appointed to meet her, but

did not see her, and in the absence of his wife, Mary Bateman arrived. William Perigo went out to seek his wife, leaving the prisoner a considerable time in the house *alone, [which time she probably employed in making an inventory of his furniture.]* On the return of the witness and his wife, Mary Bateman said she was come to fulfil the directions of Miss Blythe's letter; that she had brought with her four guinea notes, which she gave into the hands of Wm. Perigo, who examined them and saw they were real guinea notes, and William Perigo gave her four notes of the same value in return. Mary Bateman then proceeded, in the presence of Wm. Perigo and his wife, to sew the notes which were supposed to come from Miss Blythe, in four small silk bags. Witness was sure the notes were put into these small bags, and his wife opened the bed-tick and put in two of the silk bags, one in each corner, and himself did the same with the other two bags, conformable to the directions of the letter. Witness said he accompanied the prisoner part of the way home, who told him to call occasionally at her house when he came to Leeds, as there might be another letter from Miss Blythe. Witness proceeded to state, that in about a fortnight he received another letter from Miss Blythe, brought by the prisoner's son to his house. This letter was unsealed. The letter stated, that Mary Bateman would come in a few days to his house, and that he was to get two small pieces of iron made in the shape of a horse shoe, but they were not to be made in the town of Bramley; that these horse-shoes were to be nailed on the door threshold by Mary Bateman, not with a hammer, but with the back part of a pair of pincers, which pincers were to be sent to Miss Blythe to Scarbro'. The prisoner came in a few days to execute these directions, and as William Perigo had not got the iron prepared, he went to Stanningley, a neighbouring village, and got them prepared during her stay, and on his return, Mary Bateman nailed them on in the manner directed by the letter, and W. Perigo carried the pincers to Leeds, to be sent by Mary Bateman to the place of their destination, where they were to remain until the expiration of the 18 months. In a fortnight or three weeks, the witness received another

to the following effect, which came by the post-boy Leeds, signed either M. Blyth or Miss Blythe, he not say which, directed for Wm. Perigo, Bramley, Leeds. About the middle of Oct. 1806, he received llowing Letter:

Dear Friend.—You must go down to Mary Bateman's, at Leeds, sday next, and carry two guinea notes with you and give her them, will give you other two that I have sent to her from Scarbro'; and ist buy me a small cheese about six or eight pound weight, and it of your buying, for it is for a particular use, and it is to be carried Mary Bateman's, and she will send it to me by the coach.—This s to be burnt when you have done reading it."

Dear Friend.—You must go down to Mary Bateman's on Tuesday nd take four guinea notes with you, and she will give you other four ange for them, which I have sent, and when you have read this t must be burned."

m the beginning of December, 1806, to the time he ed the letter next inserted, he received a letter simi- the above about once a fortnight, sometimes by the er's son, and sometimes by the post, in which he was sted by Miss Blythe, (by which name they were all, l) to deliver various articles of furniture, wearing appa- nd other property; and also to pay different sums of y to the prisoner, to be sent to Miss Blythe, at Scar- all of which were to be returned at the end of eighteen s from the 4th of August, 1806. During the above l, the witness paid to the prisoner various sums of y, amounting in the whole to about 70l.; and also ved to her during the same period, the following

LIST OF ARTICLES

ed from Wm. Perigo by Mary Bateman, from Dec. 1806, to Ap. 1807.

oose.
irs of Men's Shoes.
e Pye,
Caddy.
Shirts.
terpane.
e of Woollen Cloth.
Handkerchief.
Shawl.
t Coloured Gown Skirt.
t Coloured Cotton Gown.
low Slips.
Waistcoat.
unds of Butter.
trokes of Meal.
Six Strokes of Malt.
A Quantity of Tea and Sugar.
Two or Three Hundred Eggs.
A Pair of Worsted Stockings.
A Pair of new Shoes.
A Pair of Black Silk Stockings.
Three Yards of Knaresbro' Linen Cloth.
Ten stones of Malt.
A Piece of Beef.
Three Bottles of Spirits.
Two Table Cloths.
Two Barrels.
Two Napkins.

For all the money so paid, he received a small bag sewed up, containing, as he supposed, a sum equal to that he had paid. For instance; if he paid Mary Bateman two guineas, he received a bag containing the same sum; if a guinea in gold, the same, and so on; and that these bags were put into the bed as they were received, with a strict injunction that they were not to be looked at until the expiration of the stipulated period, or it might kill them all.

[The Judge here said, he thought it was not necessary to go into the whole transactions of the eighteen months, but that the Council for the prosecution had better select such instances as they thought most for their purpose.]

In March, 1807, he received a letter, purporting (as all the letters did,) to come from Miss Blythe, to the following effect:—

"My Dear Friends.—I will be obliged to you if you will let me have half a dozen of your china, three silver spoons, half a pound of tea, two pounds of loaf sugar, and a tea canister to put the tea in, or else it will not do. I durst not drink out of my own china. You must burn this with a candle."

About the beginning of April, 1807, he received the following letter with the Scarbro' post mark:

My Dear Friends,—*I will be obliged to you if you will buy me a* [illegible] *stead, bed and bedding, a blanket, a pair of sheets, and a long bolster, must come from your house.*—You need not buy the best feathers, common ones will do. I have laid on the floor for three nights, and I cannot lay on my own bed *owing to the planets being so bad concerning your wife*, and I must have one of your buying or it will not do.—You must bring down the china, the sugar, the caddy, the three silver spoons and the tea at the same time when you buy the bed, and pack them up altogether—My brother's boat will be up in a day or two, and I will order my brother's boatman to call for them all at Mary Bateman's, and you must give Mary Bateman one shilling for the Boatman, and I will place it to your account. Your wife must burn this as soon as it is read or it will not do."

In compliance with the directions of the above letter, he stated, that he purchased the articles therein mentioned; that the prisoner went with him; that he bought the bed and bedstead of a Mr. Dobbin, in Kirkgate, and the furniture, &c. of a Mr. Musgrave, of the same place; that the bed was

making the pudding which she broke in two pieces, and one of which he ate. Witness said that she tasted it herself and observed to her wife, if the pudding tasted as bad, she would not eat it. When the pudding was ready, he ate a single mouthful, but it was so nauseous that he could eat no more of it: his wife however swallowed three or four mouthfuls, but was unable to eat more, and she carried the pudding into the cellar, and was then seized with the most violent vomitings. His wife said, this was the illness predicted by Miss Blythe, and they should take the poison. Witness took two spoonfuls of it, and his wife took six or seven: this made them worse than before. The vomiting continued incessantly for twenty-four hours. His wife would not hear of a Doctor being sent for, as that was contrary to Miss Blythe's directions, who had assured them that their sickness should not be unto death, and though they might seem to be dead, yet should they live: for that she was to destroy the works of darkness. Witness said, a violent heat came out of his mouth, which was very sore, that his lips were black, and that he had a most violent pain in his head twenty times worse than a common head-ache; every thing appeared green to him. Witness had also a violent complaint in his bowels: he could eat nothing for several days, and began to get better only by hair-breadths. The witness then proceeded to detail the symptoms of his wife, which were similar to his own, only more violent, her tongue swelled so that she could not shut her mouth, she was constantly thirsty, entirely lost her strength, and expired on Sunday the 21th of May. Before she died he sent for Mr. Chorley, a surgeon from Leeds, but as she died before his arrival, a messenger was sent to acquaint him with this circumstance, and therefore he did not come.—His wife, before she died, made him promise not to be *rash* with Mary Bateman, but to wait the appointed time. Witness himself went to Mr. Chorley on the day after the death of his wife; Mr. Chorley having examined him, and heard his account of the symptoms, expressed his opinion that he had received poison into his stomach. Witness said, his wife was perfectly well immediately before eating

ill; Mary Bateman said, she Miss Blythe knew every thing relating to him, but if they followed her directions all would be well. The prisoner then told him that they were to do with the powders each day as they were marked, or it would kill them all. The prisoner then mixed a powder in the honey in his presence, and he took the honey home. On the fifth of May witness received another letter from Miss Blythe, which after reading once or twice over and copying a few lines from it, he afterwards destroyed; he said the copy he had taken was also destroyed, the witness was then desired to state the contents of this letter, which he recited as he did all the letters that had been destroyed from memory, as follows.

My Dear Friends.—You must begin to eat pudding on the 11th of May, and you must put one of the powders in every day as they are marked, for six days—and you must see it put in yourself every day or else it will not do. If you find yourselves sickly at any time you must not have the doctor for it will not do, and you must not let the boy that used to eat with you eat of that pudding for six days; and you must make only just as much as you can eat yourselves, if there is any left it will not do. You must keep the door fast as much as possible or you will be overcome by evil spirits. Now think on and take my directions or else it will kill us all. About the 25th of May I will come to Leeds and send for your wife to Mary Bateman's; your wife will take me by the hand and say, "God bless you that I ever found you out." It has pleased God to send me into the world that I might destroy the works of darkness, I call them the works of darkness because they are dark to you—now mind what I say, whatever you do. This letter must be burnt in straw on the hearth by your wife.

The witness proceeded to state, that in consequence of these directions on the 11th of May, Monday, they began to eat of the pudding, a powder being put in each day as marked on the paper, and that they found no particular taste in the pudding for five days. And that on Saturday the witness was coming to Leeds, without seeing the powder put in, when his mind reminded him, that it was necessary he should see it put in. Witness said his wife had made the pudding earlier than usual for that purpose. Witness saw the powder put in which was four or five times larger than any other powders. On his return from Leeds, about twenty minutes after twelve o'clock, his wife had prepared a small cake from some of the dough, which was left after

making the pudding which she broke in two pieces, and one of which he saw Witness eat, then she tasted it herself and observed to her wife, if the pudding tasted as bad, she would not eat it. When the pudding was ready, he ate a single mouthful, but it was so nauseous that he could eat no more of it: his wife however swallowed three or four mouthfuls, but was unable to eat more, and she carried the pudding into the cellar, and was then seized with the most violent vomitings. His wife said, this was the illness predicted by Miss Blythe, and they should take the poison. Witness took two spoonfuls of it, and his wife took seven: this made them worse than before. The vomiting continued incessantly for twenty-four hours, but his wife would not hear of a Doctor being sent for, as that was contrary to Miss Blythe's directions, who had assured them that their sickness should not be unto death, and though they might seem to be dead, yet should they live: for that she was to destroy the works of darkness. Witness said, a violent heat came out of his mouth, which was very sore, that his lips were black, and that he had a most violent pain in his head twenty times worse than a common head-ache; every thing appeared green to him. Witness had also a violent complaint in his bowels: he could eat nothing for several days, and began to get better only by hair-breadths. The witness then proceeded to detail the symptoms of his wife, which were similar to his own, only more violent, her tongue swelled so that she could not shut her mouth, she was constantly thirsty, entirely lost her strength, and expired on Sunday the 21th of May. Before she died he sent for Mr. Chorley, a surgeon from Leeds, but as she died before his arrival, a messenger was sent to acquaint him with this circumstance, and therefore he did not come.—His wife, before she died, made him promise not to be *rash* with Mary Bateman, but to wait the appointed time. Witness himself went to Mr. Chorley on the day after the death of his wife; Mr. Chorley having examined him, and heard his account of the symptoms, expressed his opinion that he had received poison into his stomach. Witness said, his wife was perfectly well immediately before eating

"My Dear Friend.—I will be obliged to you if you will let the old woman have one stone and a half of flour; four ounces of tea, a pound of moist sugar, and a quantity of eggs, and you must blow one of the eggs and put a guinea into the inside of the shell, it is for a particular use, I have sent this letter in the inside of a box of clothes to the old woman at my house."

All the only two letters which Perigo had preserved were produced in court for the purpose of proving the hand writing of Mary Bateman, which was done by Mr. Wright, the clerk of Leeds, who said he had known the prisoner 17 years, and was acquainted with her hand-writing, and that the letters she on to him were of her writing. These letters purported to come from Miss Blythes, the following are *literal* copies of them:

"August 12, 1806.

"My Dear Friend.—I send you these few lines to let you know that I shall get to Wakefield to-morrow (Friday night,) and could wish you would make yourself happy that I never will do such a thing as to come by the shoulder for it would not do for me to leave the woman, for it would put the in such fear and do not let Mary read this letter of freedoms, for I have not wrote to her of a long time, and for her husband is not likely to get no better and he says it is long of you and wont hardly let her stur; you may tell her to make herself easy on the not sending to her, it is for a reason, now mind and bury this near the other. I have sent this by a boy in, which he promised me to put into the post. I gave him a shilling, he is going to shear in the low country and I told him I would see him near Leeds as he come back, may mind that I my and be looking for me, and do not mention of me, when I hit you the top. God bless you. Amen and Amen."

"August 12, 1806.

"My Dear Friend.—I could wish you to make yourself easter of pecuniar your mind about your concerns, for I will right all when I come to you, this I hope will be accomplished when I come to settle some matters with Robert Williamson as soon as he come out of Ireland, for if I will it could before he would not settle my rightings and I have expected him every day but as soon as he lands I can tell by his planet, but not till then, so you may look for me the next week after this, for as soon as he come I will settle and come to you with Goy never to part, with your friends for you. God bless you and comfort you in distress, now look for the leter from your relations in the west. I sent a line to Mary at the same time by the same Man and desired him to get money as we could and when does come you may then enclose it please to me, now look for anything from me by their leter. God bless you till I see you. Take a walk every day in the middle of the road side every day after you get the other leter."

The last letter witness received was in September, 1808, and was to the following effect:—

"My Dear Friend,—I am sorry to tell you, that you should think so much evil of Mary Bateman, when she has been such a trusty servant to you. I wonder that you should think that I have destroyed your property, to think what I have done for you, it has cost me many a hundred pounds; and it is the last time that I shall take any one under hand again, for it has nearly killed me. You must burn this letter at some public house in Leeds, and get a pint of beer, and burn the letter in the same fire at the house you get the beer in."

William Perigo proceeded to relate, that on the 19th of October, 1808, he opened the bed in which all the bags were sewed up, and having opened the whole of them, he found no money whatever. In the bags in which he expected to find guinea notes he found only waste paper, and where he expected to find gold he found only a halfpenny or a farthing. But the four silk bags in which he saw four guinea notes put, he could not find at all, nor could he give any account how or where they were gone. Upon making this discovery, the witness went to Leeds, and said Mary Bateman, and said to her, "I am sorry to think you should use me in this manner," to which she replied, "How?" He then said, "I have opened the bags, and there is nothing in them but bits of lead, plain paper, and halfpennies and bad farthings;" to which she did not seem at all surprised, but said, "You have opened them too soon;" he answered, "I think it is too late". He then said he would come down to her house in the morning with two or three men, and have things settled. The prisoner begged that he would not, and said, if he would appoint a time and place to meet alone, she would satisfy him; to this the witness consented, and the Leeds and Liverpool canal bank near the bridge, was fixed as the place of meeting. The witness was here asked if he had at the last meeting given the prisoner any beside; he said, he had not. The witness then proceeded to state, that he met the prisoner the next morning, and that two persons accompanied him, who kept at some distance. When he saw the prisoner, he told her he had brought two persons with him. Prisoner then sat down upon a stone,

and pretended to vomit, and said, "That bottle which you gave me yesterday night has almost poisoned me and my husband, who is ill in bed in consequence of taking it." Then turning to a woman that was near, she said, "Did not you see him give it to me?" But the woman walked away without speaking, and witness told the prisoner, he would scorn to give a dog such a bottle as she described; at the moment Wm. Duffield, the chief constable, came up, and took the prisoner into custody. The witness went with Wm. Duffield to search the prisoner's house, when the following articles, being his property, were found: a camp bed, a tea-caddy, a set of china, a barrel and a piece of cloth, a gown and a gown skirt, and a pair of pincers, two or three hat boxes and a fender, and part of a sack in which some malt had been sent to her. Witness also stated, that he brought with him to Leeds, at the time the search was made, the honey-pot, which he took from the place where he had originally placed it, being apprehensive of failing, he gave it to Joseph Stockdale to bring with him: the honey was subsequently given by another witness into the hands of Mr. Cooley. On the conclusion of his examination, the prisoner asked several questions as to some money, which she stated to have paid for some of the articles found in his possession; but Wm. Perigo said, he had never received a single shilling for them: the prisoner also said, that she had never given his wife any powders, or him any honey. The judge asked Wm. Perigo, if he was certain of what he had advanced on these points; to whom he replied, "I abide by it while I live, and I will abide by it in another world for ever." The examination of Wm. Perigo occupied upwards of four hours.

Thomas Dobbin, a broker in Leeds, stated that the bed and bedstead was bought from him under the circumstances mentioned by Perigo.

Mr. William Hick stated, that he was book-keeper at Mr. Hicks's Coach-office, in Leeds, that he knows William Perigo, and remembers him bringing a parcel to their office. William Perigo requested him to direct it to "Miss Blythe, *Centre*, Hotel, Buxton." This, as appeared from an exami-

nation of his book, was on the 3d October, 1805; about three weeks after, a woman came to enquire for this parcel and desired him to write to Buxton about it, which he promised to do; but forgot: the woman called a second time, but with no better success. *The publication of the trouble of this woman, in October last, led to the recovery of this parcel which was a valuable family bible; it was returned from Buxton in November last, to the Mayor of Leeds, and is now in the possession of William Perigo.*

Winifred Bond said, she was acquainted with the prisoner, and was employed by her to go errands for her; that she has frequently carried letters to different towns, to be put into the Post-office. Witness could not read. She has also several times carried letters to William Perigo, of Bramley, and whenever she carried a letter, she always brought something back with her. Upon one occasion she brought a brewing tub, at another some malt; also flour and tea. Mary Bateman used to instruct her what she was to say, if William Perigo asked any question of her; at one time she was to inform him, that she, the witness, was employed by Miss Blythe to make fires in her house, at Felmeck, and prepare it for her reception. The witness stated that Mary Bateman afterwards obliged her to leave Leeds, and go to Haworth, near Kighley. On the Judge asking the witness how she could oblige her to go, witness said, "she was afraid." His Lordship then interrogated her as to the nature of her apprehensions, which, as she explained them, arose from a fear of some supernatural power, and which she supposed the prisoner to be possessed of. The husband of the prisoner was usually at his work as a wheelwright.

Rose Howgate lives at Bramley, knew Rebecca Perigo very well, they were children together; she enjoyed a general good state of health. Witness went to William Perigo's house about ten o'clock on Saturday morning; his wife was then very well, and washing. Witness went in again in the afternoon, and found them both very sick, and vomiting; the colour of what came from them was green and yellow, and very frothy. Witness at this time only said

to light a candle, but when in her own house she heard them continue to vomit. On the following day, Sunday, witness went in again, and found them both very ill in bed. Wm. Perigo complained of a great heat coming from his mouth: Rebecca Perigo appeared to have the same symptoms, but more violent; her mouth was turning very black. She attempted to put her tongue out, but could not, it was so much swelled. Witness did not see them again until six or seven o'clock on Sunday evening; they were both in bed. William Perigo appeared to be in the same state he was in on Sunday night; his wife still continued to vomit; the colour of the matter was green and yellow, and was, as before, very frothy, and she appeared to be worse than on Sunday, and she complained of a very great heat and dryness; her tongue continued to be very much swelled. On Wednesday William Perigo began to be a little better, but the wife grew worse and worse. On the Sunday following saw Rebecca Perigo again; she appeared to have become worse; existed to lift her out of bed, as she was unable to stand. Her mouth was exceedingly black, and her tongue so much swelled that she could not close her teeth, and it was with great difficulty they could get any thing into her mouth. Her breath was very offensive. At noon witness again visited her, and found that she was then dying, and she expired in about ten minutes after she went in. Witness was present when the body was laid out, and said her body was covered in every part with black and white spots, but particularly about her neck and stomach. After she was dead, a great quantity of froth came out of her mouth, and her body was so offensive that every person about her was under the necessity of smoaking. The lips of the deceased were exceedingly black. Mary Perigo deposed to the same effect.

Rose Howgate, and John Rogerson proved, that a part of the pudding, of which Perigo and his wife had eaten, was given to a cat, and produced its death; they also proved that the cat vomited a green and yellow matter, and that three fowls having pecked a part of this matter, died the day following. Joshua Hobson stated, that he made some

dough of the flour from which Perigo's pudding was made, and gave it to a fowl, which was still alive and in good health.

John Rogerson, and Joshua Stockdale confirmed Perigo's statement respecting the contents of the mysterious bags, and the conversation which took place when Perigo and Mary Bateman met, on the morning when she was taken into custody.

William Duffield stated, that he apprehended the prisoner on the 20th of October, and that on searching her, he found a square glass bottle full of a liquid; the bottle had Dr. Solomon's name on it: that he locked it up, and never parted with possession of it, until he delivered it to Mr. Hammerton, an assistant of Mr. Chorley, surgeon, of Leeds. He afterwards searched the prisoner's house, and found many articles which were claimed by Perigo, and which Wm. Perigo enumerated. At a subsequent examination, he found some pills; but as this was some time after the prisoner had been in custody, the Judge thought it would be improper to go into any inquiry respecting them. Wm. Duffield said, the prisoner's husband was not ill in bed, and that he did not appear to ail any thing.

Thomas Gristy said, he was eleven years of age, and lived on Cavalier-Hill, Leeds, and that he remembered, about two years since, going with Jack Bateman, the prisoner's son, to Mr. Clough's shop in Kirkgate: that Bateman gave him a paper, and Clough said, he could not let him have the article named in it, for it was poison; went with Bateman to his mother, and told her Mr. Clough would not let him have any. The prisoner asked the reason why he would not, and Bateman said, he did not know.

Mr. Clough stated, that he was a surgeon in Leeds, and remembers two boys coming with a paper on which was written 4d. of arsenic; one of the boys said it was to kill bugs with, but he refused to let him have it, telling him it was poison. Witness could not identify the person of the boy, nor exactly when it was, but supposed it to be about two years since.

Mr. Thomas Hammerton, assistant to Mr. Chorley,

proved the receiving from one of the witnesses a jar, containing honey, and from Mr. William Duffield, a glass bottle, containing some liquid; both of which he delivered to Mr. Chorley.

Mr. Thomas Chorley stated, that he had practised as surgeon, at Leeds, nearly seventeen years. That Wm. Perigo came to his house on the 25th of May; that he was on horseback, and so unwell that his servant was obliged to assist him to alight. Wm. Perigo complained of a great numbness in his hands and feet, with loss of power. He was feverish, his tongue was white in the middle, and red on the sides; complained of being costive, and of a pain in his bowels; and that altogether there appeared to be a great diminution of sensation. These symptoms, with what Wm. Perigo had described of his previous state, led him to express an opinion, that he had received some poisonous substance into his stomach. The symptoms, Mr. Chorley said, were very peculiar, and he knew of no natural disease which left such symptoms. On the Judge asking him, if he formed an opinion merely from what he observed, and of what William Perigo complained of at that time? he said, that the opinion he had formed, was from a consideration of the previous account, and the symptoms that then presented themselves. Mr. Chorley added, that it was probable that the poison was a metallic or mineral poison. Mr. Chorley proceeded to state, that he had received from his assistant, Mr. Hammerton, a jar, which he had in his possession ever since, and of the contents of which he gave the following account: He first tasted it; it was very acrid, styptic, and permanent upon the tongue; he then took a small quantity of it upon a clean knife, and rubbed it with his finger, a change of colour immediately took place; further rubbing produced numerous globules of quicksilver; the iron was blackened by it: this change of colour led him to suppose that it must be a mercurial composition; and having made a solution of it, and subjected it to a series of tests and experiments, it was his opinion, that the mixture in the pot did contain honey, and corrosive sublimate of mercury. And, in order more fully to satisfy himself, he made a mixture of

corrosive sublimate and honey, which yielded the same result. A small part of the mixture in the honey-pot was made into pills, and given to a dog; the pills were washed down by a solution of the same; the dog began instantly to vomit, refused food, and died on the fourth day; on opening the dog, he found a high degree of inflammation. In answer to a question from the Judge, he said, the corrosive sublimate of mercury, had the appearance of a white powder, and it was a powerful poison. Mr. Chorley, then proceeded to state the contents of the bottle which was found upon the prisoner when she was apprehended. The bottle, and the different products from it, were produced in court: it contained a liquid, which was a spirit, probably rum, and two powders; the lighter powder was like oatmeal; the other had all the specific qualities of arsenic, and was in fact arsenic. Mr. Chorley said, he had been in court during the whole time the symptoms of Rebecca Perigo's illness and death had been described by the different witnesses, and he was of opinion from what he had heard related by them, that the symptoms were unequivocally the symptoms of poison, and that the deceased had died of poison.

Dr. Lawson, of York, and James Lucas, Esq. now Consulting Surgeon at Malton, and formerly of Leeds, were examined respecting the symptoms, as they had heard them described, attending the death of Rebecca Perigo; and both concurred in the opinion, that they could not have arisen from any natural disease, but were such as would be produced by corrosive sublimate of mercury being received into the stomach.

This finished the case on the part of the prosecution. The prisoner made no defence, except denying the charge.

His Lordship then addressed the Jury, and said, the prisoner was charged with the wilful murder of Rebecca Perigo, by administering, or causing to be administered, poison to the deceased, with intent to occasion her death; and the question for the Jury to determine was, Whether the prisoner procured poison to be taken by the deceased, no matter by what means, with that intent. In case of murder by poison, it was not necessary that the party, as

in other cases of murder, should be at hand, because death by poison may be as surely accomplished at a distance as on the spot; nor was it at all material that the poisonous matter should be delivered by the hand of the party; any contrivance to induce the party to take it, with intent to produce death, was as much wilful murder, as if the offender had administered it in person. To come to a conclusion as to the guilt of the prisoner, it was necessary that three points should be clearly made out. 1st. That the deceased died of poison. 2d. That that poison was administered by the contrivance and knowledge of the prisoner. And 3d. That it was so done for the purpose of occasioning the death of the deceased. A large body of evidence had been laid before them, to prove that the prisoner had engaged in schemes of fraud against the deceased and her husband, which was proved not merely by the evidence of Wm. Perigo, but by the testimony of other witnesses; and the inference the prosecutors drew from this fraud, was the existence of a powerful motive or temptation to commit a still greater crime, for the purpose of escaping the shame and punishment which must have attended the detection of the fraud; a fraud so gross that it excited his surprize that any individual in this age and nation could be the dupe of it. But the Jury should not go beyond this inference, and presume that, because the prisoner had been guilty of fraud, she was of course likely to have committed the crime of murder; that, if proved, must be proved by other evidence. His Lordship then proceeded to recapitulate the whole of the evidence as detailed in the preceding pages, and concluded with the following observations. "It is impossible not to be struck with wonder at the extraordinary credulity of Wm. Perigo, which neither the loss of his property, the death of his wife, and his own severe sufferings could dispel; and it was not until the month of October in the following year, that he ventured to open his hid treasure, and found there what every one in Court must have anticipated, that he would find, not a single vestige of his property; and his evidence would come to the Jury with the observation which would arise

from this uncommon want of judgment. His memory, however, appeared to be very retentive, and his evidence was confirmed, and that in different parts of the narrative, by other evidence; and many parts of the case did not rest upon his evidence at all. The illness, and peculiar symptoms, which preceded the death of his wife; his own severe illness; and a variety of other circumstances attending the experiments made upon the pudding; were proved by separate and independent testimony; and he thought it most strange, that, in a case of so much suspicion as it appeared to have excited at the time, the interment should have taken place without any inquiry as to the cause of her death, an inquiry which would then have been much less difficult; though he thought the fact of the deceased having died of poison was well established. The main question was, did the prisoner contrive the means to induce the deceased to take it?—if she did so contrive the means, the intent could only be to destroy.—Poison so deadly could not be administered with any other view. The Jury would lay all the facts and circumstances together; and if they felt them press so strongly against the prisoner, as to induce a conviction of the prisoner's having procured the deceased to take poison, with an intent to occasion her death, they would find her guilty; if they did not think the evidence conclusive, they would, in that case, find the prisoner not guilty."

The Jury, after conferring for a moment, found the prisoner *Guilty*;—and the Judge proceeded to pass sentence of death upon the prisoner, in nearly the following words:—

"Mary Bateman, you have been convicted of wilful murder by a Jury, who, after having examined your case with caution, have, constrained by the force of evidence, pronounced you guilty; and it only remains for me to fulfil my painful duty by passing upon you the awful sentence of the law. After you have been so long in the situation in which you now stand, and harassed as your mind must be by the long detail of your crimes, and by listening to the sufferings you have occasioned; I do not wish to add to your distress by saying more than my duty renders neces-

any. Of your guilt, there cannot remain a particle of doubt in the breast of any one who has heard your case. You entered into a long and premeditated system of fraud which you carried on for a length of time, which is most astonishing, and by means one would have supposed could not, in this age and nation, have been practised with effect. To prevent a discovery of your complicated fraud, and the punishment which must have resulted therefrom, you deliberately contrived the death of the person you had so grossly injured, and that by means of another mode of destruction against which there is no sure protection; but your guilty design was not fully accomplished. And, after so extraordinary a lapse of time, you are rendered as a signal example of the justice of that mysterious Providence, which, sooner or later, overtakes guilt like yours; and at the very time when you were apprehended, there is the greatest reason to suppose, that if your unwitting victim had met you alone, as you wished him to do, you would have administered to him a more deadly dose, which would have completed the diabolical project you had long before formed, but which at this time only partially succeeded, for upon your person, as the messenger searched you, was found a phial containing a most deadly poison. For mercy in this world, the gates of mercy are closed. You afforded your victim no time for preparations; but the law, while it dooms you to death, has, in its mercy, afforded you time for repentance, and the assistance of pious and learned men, whose admonitions, and prayers, and counsels, may assist to prepare you for another world, where even your crimes, if sincerely repented of, may find mercy.

"The sentence of the law is, and the Court doth award it, That you be taken to the place from whence you came, and from thence, on Monday next, to the place of execution, there to be hanged by the neck until you are dead; and that your body be given to the surgeons to be dissected and anatomized; and may Almighty God have mercy upon your soul!"

The prisoner having intimated that she was pregnant, the clerk of the arraigns said, "Mary Bateman, what have

you to say, why immediate execution should not be awarded against you?" On which the prisoner pleaded that she was twenty-two weeks gone with child. On this plea the Judge ordered the Sheriff to impannel a Jury of Matrons; this order created a general consternation amongst the ladies, who hastened to quit the court, to prevent the execution of so painful an office being imposed upon them. His Lordship, in consequence, ordered the doors to be closed, and in about half an hour, twelve married women being impannelled, they were sworn in court, and charged to inquire "whether the prisoner was with quick child?" The Jury of Matrons then retired with the prisoner, and on their return into court delivered their verdict, which was, that Mary Bateman is not with quick child, (in fact she was not with child at all). The execution, of course, was not respited, and she was remanded back to prison.

As soon as she returned to her cell, she took her infant child, and gave it the breast; a circumstance which considerably affected the gaoler, who attended her on this melancholy occasion. During the brief interval between her receiving sentence of death and her execution, the Ordinary, the Rev. George Brown, took great pains to prevail upon her ingenuously to acknowledge and confess her crimes. On his touching on the subject of the quaker ladies, whose sudden death is mentioned in another part of this memoir, she seemed perfectly to understand his meaning, but wished to avoid all further pressing upon that subject, by saying, she was at that time confined in child-birth; but the impression left upon the mind of the Ordinary was, that she knew much more on this subject than she chose to communicate. Though the prisoner behaved with her usual decorum, during the few hours that remained of her existence, and readily joined in the customary offices of devotion; no traits of that deep compunction of mind, which, for crimes like her's, must be felt where repentance was sincere, could be observed; she maintained her caution and mystery to the last. On the day preceding her execution, she wrote a letter to her husband, in which she enclosed her wedding-ring, with a request that it might be

given to her daughter. In this letter she lamented the disgrace she had brought upon her husband and her family, but declared her entire innocence of the crime for which she was about to suffer, though she acknowledged she had been guilty of many frauds. The letter also stated, that she had made her peace with God. It will hardly be credited, though it is a certain fact, that this unhappy woman was so addicted to fraud, that even when in confinement on a charge which affected her life, she was incapable of refraining from her witchcraft. A young female prisoner had, in her presence, expressed a wish to see her sweetheart; Mary Bateman took the girl aside, and said, if she could procure a sum of money to be made into a charm, and sewed into her own stays, the young man would be compelled to visit her. The simple girl complied; and Mary Bateman having prepared a potent spell, it was bound round the breast of this young woman. No sweetheart made his appearance; and the faith of her young dupe, unlike that of Perigo's, began to waver, and in a fit of despair she unbound the charm, to take out her money, but it vanished away.

This circumstance being represented to the Governor of the Castle, part of the spoil was refunded; and Mary Bateman directed that she should have clothes of hers, to balance the account—but the balance was paid by the friends of the prisoner.

On Sunday night the Ordinary visited her again; but finding her obstinately bent on denying the crime for which she was about to suffer, he represented to her the danger and folly of her conduct. Exhortation and remonstrance were alike in vain. At five o'clock on Monday morning, she was removed from her cell, from her infant child;—it lay asleep on the bed, unconscious of the dreadful fate of its mother. She stopt a moment, and kissed it for the last time; at this moment, if ever, she must have *felt*: her emotion might not be apparent; she might, by long habit, have been able to conceal the workings of her heart; but it must have been a moment of unutterable anguish. Severed now from the world, (for her husband never visited

her after her conviction) the few remaining hours of her earthly existence were, apparently, at least, devoted to religious subjects—with what sincerity or with what effect, the all-seeing eye of the Almighty alone can determine.

The dreadful noise occasioned by fixing the apparatus of execution might now probably be heard by this unhappy woman; but nothing appeared capable of moving her; when the solemn rites of communion were proposed, the necessity of confession was again intimated without effect; and she joined in this rite without unburdening her mind of its guilty secrets. The hour of execution arrived; the sheriff and his attendants demanded her body for execution; and after a few moments they proceeded to the fatal platform. The number of persons assembled was much greater than is usual on such occasions; and they had come, many of them, a considerable distance, and not a few from Leeds. The appearance of the prisoners upon the platform created a visible emotion among the spectators, an emotion not of brutal insult, as once in the metropolis disgraced the British character, but of awe and deep commiseration, which reflections on the enormity of her guilt only rendered more poignant. The most respectful silence prevailed during the few moments spent in prayer, except when interrupted by a half-suppressed ejaculation for mercy on the wretched sufferer. The moment when the executioner was preparing to finish this awful scene, the Ordinary again addressed the culprit in a low tone of voice, inquiring if she had any communication to make: she replied she had not; she was innocent. The next moment terminated her existence as to this world, and sent her to another and much more awful tribunal. Her body after hanging the usual time, was cut down and sent to the General Infirmary at Leeds, for dissection.

In this awful manner terminated the earthly career of Mary Bateman. The curiosity excited by the singularity and atrocity of her crimes extended to the viewing of her lifeless remains: though the hearse did not reach Leeds until near midnight, it was met by a considerable number.

of people; and so great was the general curiosity to see her, that the sum of thirty pounds was raised for the use of the General Infirmary, by receiving from each of the visitors the sum of three-pence.

The first emotion which arises on the contemplation of the life of Mary Bateman, is astonishment and indignation at the enormity of her guilt: to warn others against practising crimes of so black a dye cannot be necessary; but it may be useful and necessary to caution those in the humbler walks of life from being deluded by the professions of those who pretend to see into futurity. This attempt to pry into our future lot is impious and forbidden. This history will prove that it is as absurd as it is impious, and may produce the most pernicious effects.

Mary Bateman was neat in her person and dress, and though there was nothing ingenuous in her countenance, it had an air of placidity and composure, not ill adapted to make a favourable impression on those persons who visited her. Her manner of address was soft and insinuating, with the affectation of sanctity. In her domestic arrangements she was regular, and was mistress of such qualifications in housewifery as, with an honest heart, would have enabled her to fill up her station with respectability and usefulness. Her husband was sober and industrious, and had constant employment; she had not therefore the plea of want (poor as it is), to extenuate her crimes: but her numerous schemes of fraud failed of enriching her family: how the money was expended, or what has become of it, is uncertain; but the fact is, that her husband is now in extreme poverty, his house is broken up, his furniture sold, and his debts still remain unpaid; which verifies a vulgar proverb, "*That what is got over the devil's back, is lost under his belly.*"—Such are the fruits of villainy even in this world; what the retribution of crimes like these will be in a future state, is too terrible an idea to be dwelt upon.

To sum up the character of Mary Bateman, is not a difficult, but it is a painful task; to contemplate so horrid a portrait of what human nature may become, is distressing. It must however be observed, that incontinence and drunk-

[redacted]

cunness have never been imputed to her. But her character, in all other respects, is dark; her vices were emphatically those of the heart. She was callous to distress, incapable of natural affection, and with a heart so completely steeled against the "compunctuous visitings of nature," that she could devise and perpetrate the most horrid and atrocious crimes, even that of murder, with cool deliberation, and apparent composure;—could embrace the victims she was about to precipitate into an untimely grave, with the appearance of affection;—and implore the blessing of heaven on the deadly poisoned bowl. No ties of blood were held sacred by her: the tender affections of parents, husband, brother, were trampled on. She betrayed and robbed her brother, deceived her husband, plundered her aged mother, and brought the grey hairs of her father with sorrow to the grave.

Such was the character, such the life, and such the death of Mary Bateman; it is a horrid and most shocking tale: but it is full of instruction; and the moral may be read in every line. The guilty deceiver, and the deluded victim, each furnish an appropriate and an impressive lesson, and teach that the "crooked paths of dishonesty, end in sure destruction," and that "those who trust in *Diviners* shall be confounded, and perish."

JOSEPH BLACKBURN,

FORGER.

Executed at the New Drop, York, April 8, 1815.

ON Tuesday, the 20th of December, 1814, Mr. Joseph Blackburn, and Mr. Thomas Wainewright, Attornies, residing at Leeds, were apprehended on the information of

George Jacques, late a clerk in Mr. Blackburn's office, on suspicion of removing stamps from executed deeds, and affixing them to other instruments, with intent thereby to defraud the public revenue. Both the prisoners were examined in private, several times, and on Saturday they underwent a public and final examination, before John Brooke, Esq. the Mayor, and other Magistrates of the Borough of Leeds, at the Court House, when they were both fully committed to York Castle; the former on a charge of forgery, and the latter charged with taking a stamp from a certain deed, with an intent to affix it upon another instrument, and thereby defraud the public revenue. Both these unfortunate persons were removed to York Castle, on the following day, the 25th of December.

On Saturday, the 11th of March, 1815, the Commission of Assize was opened at York, by the Right Honourable Sir Alexander Thomson, Knt. and the honourable Sir Simon Le Blanc, Knt. the latter presided at the Crown end. On Saturday the 18th of March, Mr. Joseph Blackburn, and Mr. Thomas Wainewright were placed at the bar, and arraigned, the former on two indictments, charging him with forging and counterfeiting the impression of a certain stamp or die, used under the direction of the Commissioners of Stamps, to denote the payment of certain duties imposed on various deeds and other securities, on vellum, parchment, or paper, and also with uttering the same, knowing it to be forged, with an intent to defraud the revenue of the duties imposed on such stamped vellum, parchment, or paper. To these indictments he pleaded—Not guilty. Mr. Blackburn was then arraigned on two other indictments, charging him with feloniously removing stamps from executed deeds, and affixing them upon others, with an intent to defraud the revenue; to these indictments he also pleaded—Not guilty. He was then charged in another indictment with the same offence, jointly with Mr. Thomas Wainewright, who was charged with feloniously aiding and assisting in this illegal removal of stamps. To this indictment both the prisoners severally pleaded—Not guilty.

As soon as the Jury were sworn, Mr. Wainewright, at the suggestion of the Counsel for the prosecution retired from the Bar, and the Court proceeded to the trial of Mr. Blackburn, on one of the capital indictments for forgery. The Clerk of the Arraigns then read the indictment. It charged the prisoner with feloniously forging, and counterfeiting the resemblance of a certain stamp or die, used by the Commissioners of Stamps, to denote the payment of duties imposed on vellum, parchment, and paper, *viz.* for the payment of two pounds, imposed by the 48th of George III. on mortgage deeds, with intent to defraud his Majesty, his heirs, or successors. Another account in the indictment charged him with uttering the said forged stamps, knowing the same to be false, forged, and counterfeited, with the like intent to defraud his Majesty, his heirs, or successors.

COUNSEL for the Crown—Mr. Park, Mr. Topping, Mr. Wailes, and Mr. Richardson. ATTORNIES—Mr. Hanson, Solicitor for the Stamp Office, and Mr. Atkinson, of Leeds.

Counsel for the Prisoner—Mr. Scarlet, Mr. Littledale, and Mr. Williams. ATTORNIES—Mr. Joseph Wood of Leeds, and Mr. Elliot Carrett of Dewsbury:

Mr. Richardson. This indictment charges the prisoner with forging a stamp used by the Commissioners, for the payment of a duty, imposed by the 48th of George III. The prisoner is also charged with uttering the same, knowing it to be forged. To this indictment, the prisoner has pleaded—Not guilty, and put himself upon his trial. It is your duty to hear the evidence, and say, whether he is guilty or not guilty, of the crime charged by this indictment.

Mr. Park. I am also of counsel against the unfortunate gentleman now at the bar. This is a prosecution by the Commissioners of Stamps, who in the discharge of their professional duty, have thought it incumbent upon them to institute this inquiry, and which indeed they could not have omitted to do without a gross dereliction of the duty they owed to the public. They have no interest in this prosecution, and whatever be the result of this day's inquiry, they will be satisfied with your decision. The crime

imputed to the prisoner by this indictment, is not merely calculated to defraud the public revenue, but tends to affect the security of the property of individuals, and that in the most serious manner. For if deeds, or other written instruments for the transfer of property have stamps affixed to them, forged, or improper stamps, they have not validity, and convey no rights to the parties in whose favour they are executed. This consideration must at once impress you with a conviction of the great importance of the present case; as the conveyance of property by instruments the most solemn known to the law, is thereby defeated, the contract becomes invalid, and the deed by which it was intended to be effected, of no possible use. Nor is it too much to say, that the rights of future generations may be affected by the consequences of the crime imputed to the prisoner.

It is, Gentlemen, with the most unfeigned concern, that I have risen to address you on the present occasion. This is the first time, during a practice of thirty years at the Bar, that it has fallen to my lot, to be concerned in a prosecution for felony, against any person with whom I had any personal acquaintance. Mr. Blackburn, (the prisoner) I have long known; he has conducted actions, in which I have been engaged for him, and others in which I have been retained by the adverse party: and though, when I first heard the name I did not know how to affix it to the person, yet now, when (for the first time since this prosecution has been depending) I see him, I find that I know the gentleman perfectly well. We at the bar are, however, bound to aid the administration of the public justice of the country, and must do justice to the country, and to the crown, on whose behalf we are engaged, and cannot shrink from the performance of our professional duty, however painful our feelings the exercise of it may occasionally be. But the Government, the Commissioners of Stamps, and those who on their account conduct this prosecution, are very far from having any wish to oppress these individuals; their only desire is, that justice should be done between them and the country, and this justice I have no doubt will be done by you

If the defendant, I ought to say the prisoner, is guilty of the offence imputed to him by this indictment, his crime is greater than that of any other individual, because there is no one who is so much obliged by his profession, to understand the principles of morality. The very first rudiments of his profession must have rendered familiar to him those principles of justice, on which the law is founded; and in his long attendance at these courts, he must (in addition to sound lessons of law,) have heard the principles of moral obligation enforced by the learned judges, who have, from time to time, presided here, and which ought to have had the effect of rooting them in his mind.

Having made these few preliminary observations, I shall proceed to state the nature of the charge against the prisoner, and the evidence by which that charge is meant to be substantiated. The charge against the prisoner is that of having forged, or caused to be forged, or counterfeited, the impression of a certain stamp or die, used by the commissioners (appointed by his Majesty, to manage the duties on stamped vellum, parchment, or paper) to denote the payment of a certain duty, imposed by the acts of the King, on mortgage deeds, which are laid *ad valorem*, that is, in a ratio proportioned to the money secured by such deeds. The amount of the money secured by the deed which is the subject of this inquiry, is £180, and the stamp required for this sum, must be of the value of £2; for by the schedule affixed to the act, it states, that from £150 to a sum not exceeding £200, the duty shall be £2. The subject matter of this prosecution is, that in order to evade the duty imposed by this act, the prisoner affixed a forged and counterfeit stamp to an instrument, purporting to be a mortgage deed; and also that he uttered or published the same, well knowing it to be false, forged, or counterfeited. The penal act on which this prosecution is founded, is an act in the 52d. year of the King, entituled, "an act for amending and reducing into one act, the provisions contained in any laws now in force, imposing the penalty of death, for any act done in *breach of*, or in resistance to any part of the laws, for collecting his Majesty's revenue in

Great Britain. In this statute, cap. 143. section 7. it is enacted, "that if any person, shall after the passing of this act, forge or counterfeit, or cause to be forged or counterfeited, any mark, stamp, die, or plate, which in pursuance of any act or acts of parliament, shall have been provided made or used, by or under the direction of the commissioners, appointed to manage the duties on stamped vellum, parchments, or paper, or by or under the direction of any other person or persons, legally authorised in that behalf for expressing or denoting any duty, or duties or any part thereof, which shall be under the care and management of the said commissioners, or if any person shall utter, or sell or expose to sale, any vellum, parchment, or paper, having thereupon the impression of any such forged or counterfeited mark, every person so offending, and being thereof convicted, shall be adjudged guilty of felony, and shall suffer as a felon, without benefit of clergy." I will now lay before you the evidence by which we propose to establish this charge against the prisoner.

A person of the name of Taylor, being desirous of borrowing upon the security of an estate the sum of £100 of the Friendly Benefit Society, called the Clothiers' Society, sent the title deeds of his estate to the office of the prisoner, who, as you will have already collected, is an attorney, to enable him to make out the necessary security, and who accordingly prepared a mortgage deed. This deed bears date the 10th September, 1812; but whether it was executed at that time we do not know, but it was executed some time before February in the ensuing year, because we find that on the 12th February it was registered at the proper office at Wakefield, and from this period up to the time when it was delivered to the steward of the Society, which was in the month of October in the same year. At what period the stamp upon this deed, which we allege to be a forged one, was affixed to this deed we have no means of proving, but it must have been previous to its passing into the hands of Thompson, who deposited it in the box of the Society, and where it remained until it was taken out for the purpose of this inquiry. That this is the deed delivered by the prisoner

to Thompson, I shall prove beyond all doubt. Gentlemen, I shall prove to your entire satisfaction, that the stamp affixed to this deed is a forged one; and we shall also offer the strongest evidence to convince you it was forged by the prisoner, and uttered by him, knowing it to be forged. But before I enter directly upon this proof, it may be proper to state to you something of the manner in which the business of the stamp office is managed, particularly with respect to the state and manner in which stamps are issued from it, but which statement I shall prove by evidence. It will be clearly proved to you, that stamps are not issued from the office in detached labels, to be afterwards affixed to the different instruments, but are stamped upon the paper or parchment, on which the instrument or deed is to be prepared, and the impression is made with an engine of such power, that the impression made by it is visible on the back of the parchment. This is a circumstance of some importance to be attended to in this inquiry. I would also observe to you that on all the stamped parchments, issued by the stamp office in London, the words, *This Indenture*, is printed from an engraved plate in large characters. These circumstances will be fully proved by the evidence of the gentleman from the stamp office, whom I shall call before you, and who will explain these circumstances more fully than I have been able to do. The prisoner did not chuse to have his skins from the stamp office, but provided them himself, and employed an engraver in Leeds, to engrave him a plate, or rather two plates with the words "This Indenture," in characters resembling those issued by the stamp office, and from these plates he had impressions taken upon skins at various times. I do not mention this with a view to prejudice the prisoner, or to insinuate any thing to his disadvantage, because he had a right to prepare his own skins, and send them to be stamped if he chose it; but I mention it, because it will be necessary to explain part of the evidence which I shall lay before you, and to shew the manner in which (as we allledge) the offence imputed to the prisoner has been committed.

Gentlemen, the whole of the stamp affixed to this deed is not false and counterfeited; the impression of the King's arms and the *device*, are part of the genuine stamp, but the words, "Two Pounds," which denote the value of it, are forged, and the way in which we account for it is this, we say that the stamp affixed to this deed has been taken from some other deed, and affixed by some cement to this, and that the former denominating words have been obliterated, and the words, "Two Pounds," impressed by some die or stamp, resembling that used for denoting the duty of two pounds by the commissioners of the stamps. Gentlemen, I state it without hesitation, as the law, and I am sure his lordship concurs with me, that the forgery of any material part, of any stamp or die, or other instrument, is as much a forgery, as if the whole of it was actually forged: and the words which denote the value of the stamp, must unquestionably be considered as a most material part of it, and the person who has done this, or aided the doing of it, or caused it to be done, is guilty of forgery. That this stamp was not affixed to the deed at the stamp office, and in the usual manner, may be made evident to an inexperienced eye; for it will be proved to you, that those parchments which have passed through the stamping engine have a visible impression of the stamp on the back of the skin, which is not the case in this deed; the stamp of which has been transferred from some other instrument. These circumstances would alone form a strong presumption against the prisoner: but the next branch of evidence I shall adduce, will convert this presumption into certainty; for I shall prove to you, that he employed an engraver at Leeds to make him thirteen or fourteen dies, suitable for the purpose of making any impression, resembling the words which denote the value that are upon the stamps used by the commissioners. I have the impression from those dies now in my hand, and it will be proved to you that the numerals and words, "H Pounds," impressed upon the stamp of the deed, which I will lay before the court, is an impression from one of those dies. These dies, Gentlemen, were found in the possession of the prisoner, under the circumstances I

shall shortly state to you. When the rumour of these transactions first came out, the house of the prisoner was searched by the officers of justice, the prisoner was not at home, but in a room which was locked and broken open by the officers, was found upon a table a box containing these dies; and on a further search, a number of old deeds were found, from which the stamps had been cut off, and also a number of articles material for throwing light on this subject, which will be produced to you. Perhaps it may not be necessary to point out to you the manner in which the prisoner would be benefited by this transfer, and forgery of stamps. But as it will complete the statement, I will just add that by taking the stamps from old instruments, and affixing them upon new ones, he was enabled to put into his pocket the whole amount of the duty, as he would of course charge the nominal value of the stamps to his clients, and where the denominating value was not for the sum he wished, we presume that it might be changed by the use of these dies. I think I have before stated, that we shall prove the uttering of this deed to Mr. Thompson. This, Gentlemen, is a short detail of the circumstances, from which we contend, that you must come to the conclusion, that the prisoner forged, or procured to be forged, this stamp, and that it was uttered by him, or with his privity, he knowing it so be forged. It is for you, Gentlemen, after hearing the evidence which shall be laid before you, on the part of the prosecution, and for the prisoner, with the observations and recapitulation of the learned judge, to decide upon his guilt or innocence, and with your decision the prosecutors will be satisfied. If, having heard the whole of the case, any doubt, I mean of course, any reasonable doubt remains upon your minds, the prisoner ought to have the benefit of that doubt, and in that case you ought to acquit him; but if you find the circumstances which go to prove the guilt of the prisoner so strong and well connected, as fully to satisfy you upon the subject, it will then be a duty you owe to your oaths, to God, and your country, to find the prisoner guilty. The prisoner, to use the impressive language of the law, has put himself upon God and his country

which country you are, and I feel convinced that your verdict will be such as will be just to the prisoner, and to the public justice of the country.

Mr. John Atkinson, Attorney-at-Law, Leeds, (and one of the solicitors for the prosecution) produced a deed, which he stated to have received from Mr. John Scott, one of the stewards of a benefit society, on the 11th of February, and which had remained in his possession ever since.

Mr. John Scott stated, that he was a steward to a society called the Clothiers' Benevolent Society, that there is a chest in the room in which they meet, in which are deposited the deeds and securities belonging to the society. The witness took the deed produced by Mr. Atkinson out of this box on the first Monday in February, and delivered it in the same state in which he found it to the landlady of the house where the box was kept, and received it back from her on the Saturday following.

Mrs. Mary Fluker being called, stated that she received a deed from the last witness on the first Monday in the month of February; she kept it until the Saturday following, when she delivered it to him again, and during this period it was never out of her possession. *The examination of Mr. John Scott was then resumed, who proceeded to state*, that he delivered the deed received of Mrs. Fluker to Mr. Atkinson at his office in the same state in which he received it. *Witness on being cross-examined by Mr. Scarlett*, repeated that he took the deed out of the chest, but he did not know how long it had been there, nor by whom it was placed there, as he had never seen it before the day he took it out of the box.

Mr. Joseph Thompson being sworn, stated, that he was one of the stewards of the Clothiers' Benevolent Society, but at the period to which his evidence referred, he was president of the society—he then proceeded to state, that he received a deed at Mr. Blackburn's office, in Leeds, that he received it either from Mr. Blackburn or his clerk, but cannot say from which: had not received it in the first Monday of November, it might be December or January in the following year (1813,) but cannot state exactly how it

pas. Witness said, he supposed the deed was registered when he got it—he took it to his own house, and it remained there until the society met, he put it into his box, but which was not locked; he believed the deed had not been removed, never opened the deed to see whether it was registered. Witness said that previous to his receiving the deed he had called several times at Mr. Blackburn's office, to inquire whether it was registered. It remained in his box five or six weeks until the first Monday in February, when he took it to the house where that society holds its meetings, and laid it upon the table, and then he had done with Mr. trust. There are three different locks to the box in which the writings of the society are deposited, one key of which is kept by the president, another by one of the stewards, and the third by the landlord of the inn. Witness was not present when the deed was put into the box, he put it upon the table and left it there. *Witness was cross-examined by Mr. Littledale*, and re-stated, that when he received the deed at Mr. Blackburn's office, it was wrapped up in paper, and that he never opened it during the time that it was in his possession, he supposed it to be the deed, and he delivered it to the society in the same state in which he had received it.

Mr. Thomas Taylor was examined by Mr. Wailes. He stated that he knew Mr. Blackburn very well; he employed him to make a mortgage deed for him about a year since last November, for a society, known by the name of the Clothiers' Benefit Society, and took his deed for that purpose to Mr. Blackburn's office. The sum to be secured upon his estate was 180*l.* Witness left his deeds with Mr. Blackburn, and he afterwards saw the mortgage deed, the deed which Mr. Blackburn had prepared for him, and which the witness signed; Mr. Blackburn was present when he signed it, and it was at his desk that he signed it. Witness does not recollect whether any other person but Mr. Blackburn was in the office when the witness called to sign. *Witness was cross-examined by Mr. Williams.*—The deed had been in the office some time, does not particularly remember the time when it was signed, does not recollect

seeing the date at the time he signed it, and does not recollect whether it was before or after Michaelmas that the deed was executed in Mr. Blackburn's office.

Mr. Charles Smith examined by Mr. Richardson. He stated that he was employed in the office of Mr. Blackburn. On the deed in question being shewn to the witness, he said it was engrossed by him in the month of November, and was either delivered by the witness to Mr. Blackburn, or left in his office. Witness was desired to look at the name of the attesting witnesses to the deed, signed, "*Jo. Blackburn.*" Upon looking at it, he said it was the hand-writing of the prisoner. *Witness was cross-examined by Mr. Scarlett*, and said he did not recollect giving the deed to Mr. Blackburn, nor could he state whether he received it from himself. *On his re-examination he stated* that Mr. Blackburn paid him for the engrossing of it.

Mr. Musgrave examined by Mr. Richardson, stated that he was one of the attesting witnesses to the deed in question. Witness did not go to Wakefield on the occasion of registering the deed, nor did he take any oath on that occasion. On being desired to look at the deed, he stated that the word "*Sworn*" was written opposite to Mr. Blackburn's name.

Mr. Abraham Smith, examined by Mr. Park, stated, that he is one of the stampers at the stamp-office, in London, and has been in that situation sixteen or seventeen years. Being requested to state the manner in which the operation of stamping was performed, he said, that when the stamping for the day is concluded, the dies are put into strong boxes, placed in the strong room and locked up. They are taken into the room and delivered out to the stampers by one of the clerks of the office, who keeps the key of the room. No labels are ever on any occasion stamped without being attached to the parchment, and of course no stamps can ever be issued detached from the parchment or paper on which the instrument is intended to be executed. The die for the two pound stamps has not been varied, the die is fixed in an engine, which strikes the impression with great force. The names of the per-

ons employed in impressing the two pound stamps upon parchment, are Perry and Cawthorn. On looking at the deed, witness stated, that he had no hesitation in saying, that the numeral II. and word *Pounds* were false and counterfeit, and were not a genuine impression from the die used by the commissioners; but that the device of the King's Arms, and the rest of the stamp were genuine.—Witness then proceeded to point out the difference between the impression of the genuine stamp, and that affixed to the die in question, which partly consisted in a variation of the semi-circle, and in a further difference of the depth and entire appearance of the denominating part of the stamp in question. This difference, he said, arose from the circumstance that in the genuine stamp the whole impression was struck at once, both the King's Arms and the letters, but that in that on the deed now in his hands, it was evident that the numeral letters II. had been impressed by one instrument, and the word *Pounds* by another; and from which the original words denoting the value had been by some means erased. Witness then examined the back of the deed, and said, it was clear that the stamp had not been impressed upon it at the office, because, if it had, the impression would have penetrated the parchment, and made an indention on the back. Upon the whole, witness stated it as his decided opinion that the stamp shewn him was false and counterfeit. He went on to state, that all the stamps were under the management of the commissioners appointed for that purpose. *Witness was cross-examined by Mr. Scarlett*, and admitted that the impression of the King's Arms, and all parts of it with the exception of the words denoting the value, were genuine; and that the stamp had undoubtedly at some time or other been issued from the office.

"*Wm. Kappen, Esq.* stated that he was secretary to the stamp-office, and had in October last been employed twenty-four or twenty-five years in that office, though not the whole of the time in the situation he then occupied. He was perfectly acquainted with the various dies used by the office, and the manner in which the general business of

the office was conducted. *The deed being handed to him he examined it with great attention*, and then stated that the II and the word *Pounds* were not an impression from the stamp used by the commissioners, but that the King's Arms, and the rest of the stamp was genuine. Witness then produced a paper which contained an impression from the II pound stamp used by the commissioners, which he stated to have been struck in his presence, and then pointed out to the court and jury, the respects in which the impression of the forged stamp differed from that produced by him. Witness having completed his description, said, he had not the least hesitation in stating that that part of the stamp shewn to him, which denoted the value, was false and counterfeit: he also stated, that the back of the deed bore no resemblance to the impression of the stamps struck at the office, which makes an impression through the parchment perfectly visible on the other side of the skin, being impressed with great force by the engine, which completes the whole of the stamp at once. *Witness was cross-examined by Mr. Littledale.* He stated, that the commissioners continued the use of the dies in these cases where they were applicable after any augmentation of the duties, and this they were empowered to do by act of parliament. After any augmentation of the duties, the commissioners have impressions taken of all the dies in use, from which they select such as are applicable to the new duties, and impressions of these are struck in the presence of the commissioners, or the major part of them. These impressions were put into a book and signed by the officers employed in that department, and the dies from which these impressions were taken, continue to be used until some further alteration takes place in the duties. The office never sells stamps to private individuals, but they are furnished to the public through the medium of the stamp distributers. He also stated, that no stamp is ever printed on any separate libel, detached from the papers or parchment on which the instrument is to be executed. But he added, that if any person should send an unexecuted parchment or instrument to stamp, to the head office, it

which he stamped upon the payment of the proper duty. He further stated that a die of *two pounds*, was used before the 46th of George III. and continued still to be used. *This finished the evidence with respect to the stamp being a forged one.*

Mr. Wm. Farmery is the chief-constable at Leeds. He stated that he searched the house of Mr. Blackburn, who lived in Simpson's Fold, Leeds, on the 20th of December last; was accompanied by four or five other constables, and by Robert Barr and George Jacques. They first went into the office on the ground floor, found a number of skins folded up, which the witness took possession of, part of which he delivered to Webster, a constable, and part to Barr, and the remainder he kept himself. Witness then went upstairs, to the room over the office where they had found the parchments. The door was locked, and as Mr. Blackburn was not at home, they were unable to get a key, he therefore forced the door open; the first thing he observed was a number of blank skins, but on going into the room, he saw two small drawers upon a table, one of which contained a number of dies, which he took into his possession, and put into his pocket. The other drawer contained a number of stamps. Witness kept all the articles which he had taken upon this search, until the 13th February last, when he gave them up to Mr. Atkinson, attorney, of Leeds, in the same state in which he received them, nor were they ever out of his possession. Witness proceeded to state, that in the course of their search they found many other articles, which were not in the same drawer with the dies. On their return below into the room they had first entered, they found, in a desk which was locked, some small articles, which had the appearance of stamps, and which the witness also delivered to Mr. Atkinson. He saw Robert Barr take several articles into his possession. *Witness on his cross-examination, said* that when he first entered the room up stairs, he found Jacques with his hand upon or in the drawer in which the stamps were found. *But in answer to a question put by Mr. Topping, he said*

Jacques had nothing in his hand when he entered the room.

Mr. Robert Barr is a writer in the town clerk's office. He stated that he was present at the search of Mr. Blackburn's house; the office on the ground floor was searched the first; Jacques was present at the search; there was a quantity of small stamps upon the table, which Jacques handed to him. Witness saw Jacques take them up. Witness folded them in some paper, took them to the Rotation Office, and shewed them to the mayor and some other gentlemen, who were upon the bench; they delivered them to him again, and they were never out of his sight. Witness kept them in the Rotation Office desk for a day or two, until the prisoner and Mr. Wainewright were committed, they were locked up in the desk, to which no person but himself had access. He had sealed them up. He then took them to the town clerk's office, where he kept them locked up, and afterwards took them to his own house, and locked them up in a box, where they remained until the 11th of February, when he delivered them to Mr. Atkinson. Witness delivered to him all the articles that he found upon the search, and in the same state in which he found them. *On his cross-examination*, he stated, that Parmley broke open the door up stairs, and that they all entered the room together. Jacques shewed them where the stamps were. Witness knew that Jacques had been a clerk in Mr. Blackburn's employ, and that he had been discharged from his service. Witness does not know the reason of his being discharged. He, (Jacques,) had been in Mr. Blackburn's service two or three years. Witness did not hear of any prosecution being threatened against Jacques for embezzlement. Witness did not see the stamps until Jacques laid his hand upon them: he laid each in one parcel. *On his re-examination*, he said Jacques took the stamps up and gave it to him the witness.

Mr. John Atkinson, attorney-at-law, Leeds, stated that he received a great number of articles from Parmley the constable, in which were included a number of dies. He received the dies on the 13th February, and the stamps

at the same time were in a box on the table. He had kept them locked up ever since he received them, and they are now in the same state in which they were delivered to him. Witness also received from Robert Barr the contents of a parcel which was sealed up, and which he had kept in his possession ever since. The contents of this parcel consisted principally of a great variety of blue stamps for deeds.

Mr. Butterworth is an engraver at Leeds. He stated that he was employed by a person whom he afterwards knew to be Jacques, to engrave for him upon a copper plate these words, "This Indenture," in German Text character. The person did not give his name, or state on whose account he came. This engraving was executed according to the directions he had received from Jacques, and by him it was paid for. Jacques came from time to time for impressions from the plate, which were taken upon parchment. Witness kept the plate in his own possession. This plate was made in June, 1810. Witness afterwards engraved another plate for Jacques with the same words in the same character, but not so large: both these plates were paid for by Jacques, and he also paid for the impressions taken from them. Jacques did not mention to him that the plates were for Mr. Blackburn. *Witness produced two plates and an impression taken from each of them, which resembled in character those issued by the stamp-office.* Witness has had both the plates in his possession the whole time; and from time to time took impressions from them at the request of Jacques, which were paid for by him. The latter plate was made in October, 1819. During the time that he was in the habit of getting these impressions, witness had heard that he was a clerk in Mr. Blackburn's office, but he did not know it from Jacques, nor did he know his name until December last. The last impressions were taken from his shop by a female servant. *Upon his cross-examination*, he stated that he never saw Mr. Blackburn upon the subject. The skins were brought quite clean, and had no writing upon them. Mr. Blackburn's name was never mentioned to him by Jacques upon any occasion. He represented himself as

a writer for attorneys, but not upon those who write for attorneys. He never gave his name, nor did the witness ask him for it; but the work was paid for as it was done. Witness repeated that he did not know his name until December last.

Mr. Samuel Topham, is an engraver, has been in the business six years at Leeds, knows Mr. Blackburn, and was employed by him in the way of business, but had no acquaintance with him. In the month of October last, witness was employed by Mr. Blackburn to make for him a number of pieces resembling wafer seals, the number entered in his book was fourteen, which he supposes was the number he made. *A number of dies taken out of the box produced by Mr. Atkinson, being shewn to the witness*, he examined them for some time, and then stated that they were the same he had made for Mr. Blackburn, that is, they were made under the direction of the witness. He employed a person out of his own shop to make and fix the handles. Witness does not recollect to whom they were delivered, when they were finished, but is certain that they were paid for by Mr. Blackburn, the sum he received for them was 14*l.* Witness said he could not undertake to swear positively that the dies before the court were those which the witness made for Mr. Blackburn, but he believes they are the same. In reply to a question from the court, he stated that he did not keep impressions of the articles executed by him. *Witness was then desired to examine the impression of the stamp affixed to the deed, which was put into his hands, and to state whether the impression 11. Rounds was in his opinion an impression from the dies of the pounds then in his hand.* After examining the impression upon the stamp with the dies he said, that he could not state positively whether it was or was not, but would not speak to it. Being reminded that it was only his opinion that was required, he said, he could not form an opinion upon it, and being further pressed upon the subject and asked, whether he could not form a conviction whether the impression was from those dies or not, he said, that he did not know that he had ever seen those dies before, and he

shade) to remove from any idea upon the subject." Witness was not cross-examined.

Mr. Abraham Smith, the stamper from the office in London, was again examined. *The deed and the dies were put into his hands, and he was requested to examine them, and state whether, in his opinion, the words* H *Pounds was or was not an impression from those dies.* After comparing them together, he said he should think they were impressions from them, they corresponded so exactly, that he thought they must be impressions from them; he said, it was evident to him at first sight, that the impressions had been made by two instruments, and not by a single die.—Witness on his cross-examination said he was not an engraver. Mr. Park said, "though you are no engraver, you undertake to give it as your opinion, that the impressions of the two pounds upon the stamp is made by the two dies shown to you." Witness replied, "yes, that is my opinion."

Wm. Kappen, Esq. was desired to examine the impression upon the stamp and compare it with the two dies, and then to state his opinion upon the question put to the last witness. This gentleman having examined them both with great attention, and fixed the dies upon the impression on the stamp, said, "It is my opinion, that the H Pounds impressed upon the stamp, has been made by the dies I now hold in my hand." Mr. Scarlett said, "I take it for granted, Mr. Kappen, that you never made a stamp or saw one made"—this witness replied that he had not.

Mr. Butterworth was desired to examine the words, *This indenture*, engraven at the head of the deed, and then to state, whether it was in his opinion an impression from one of the plates he had engraved for Jacques. After looking at it, he said, he had no doubt but that it was an impression from the larger plate.

Mr. Atkinson was desired to take the articles out of the box which had been found upon the search of the prisoner's house, and to state the nature and probable use of each article. Mr. Atkinson proceeded to take from the box a small paper containing some grain and pieces of lead,

and stamps, in some of which there appeared to be holes cut. Mr. Justice Le Blanc suggested that as Mr. Kappen was more conversant with the stamp business, he would be best able to explain them, and Mr. Atkinson was desired to hand to him the different articles. "This," (observing of a small piece of paper, "is called an escutcheon, and is placed upon the stamp before the impression is made, they are fastened on by a peculiar kind of paste." A great number of detached stamps were handed to him, and he stated to the court their value, and the purposes to which they might be applied. They had he said been cut off from deeds and other instruments of various denominations, from the value of 50l. to eighteen pence. Some of these stamps were contained in envelopes, with an indorsement describing their contents in Mr. Blackburn's hand-writing. All those with the indorsement were described as spoiled stamps, the following are a few of those endorsements:—"Spoiled stamps from 5l. to 50l." this parcel Mr. Kappen described as having the appearance of being cut from other deeds. A parcel marked "Spoiled stamps, small ones 7s. 6d. &c." which also appeared to have been cut from other instruments. Another paper, which was produced was described, "Spoiled stamps one pound each." Another, "Spoiled stamps from 30s. to 4l." Another, "13 stamps at 1s. 6d. each, 1l. 0s. 6d". A written paper was also taken from the box, which Mr. Kappen stated to be a kind of schedule of the different stamps with the manner in which the value is expressed in the stamps with the amount of the duty carried out. Mr. Atkinson being desired to state whether it was the prisoners writing, said he thought the words were his hand-writing, but he could not speak as to the figures.

Mr. Musgrave, who had formerly been a writer in the office of Mr. Blackburn, being asked the same question, said he believed the whole of it was Mr. Blackburn's writing.

Mr. Kappen, in reply to a question put by the Judge, said, that the stamp office made an allowance for spoiled stamps, if an application was made within a limited time.

[illegible] an affidavit, stating the reason of their being spoiled and returned, but the instrument or parchment must also be returned, or no allowance would be made upon stamps detached from it.

This finished the evidence on the part of the prosecution.

Mr. Scarlett, then rose, and said, My Lord, I have two objections, which I will submit to the consideration of your Lordship, which will, as I conceive be fatal to this prosecution. There are two facts which the prosecutor is bound to make out before he can substantiate the allegations in this indictment. The first is, that the die or stamp, respecting which the forgery is alledged to have been committed, was a die used by the direction and under the authority of the commissioners of the stamps. Now, my Lord, I contend that there is no evidence of this fact to go to the jury, because I confidently submit to your Lordship, that parole evidence, which is all they have offered, is not admissible under the circumstances which have been given in evidence, because it is an axiom in law, that the best evidence must always be given, which the case will admit of; your Lordship has heard from Mr. Kappen that the stamps authorised to be used by the commissioners, were in their presence impressed in a book. This book has not been produced, and as no evidence has been given to shew, that it was lost or destroyed, parole evidence was not admissible to shew the nature of its contents. That it is an essential part of the case, that the die should have been directed or authorised to be used by the commissioners of the stamps is evident from a reference to the 52 of the King, section 7, which states, that if any person after the passing of that act, shall forge or counterfeit, or cause to be forged or counterfeit any mark, stamp, die, or plate which in pursuance of any act of parliament, shall have been provided, made, or used, *by, or under the direction of the commissioners,* appointed to manage the duties on stamped paper, and so on. Now, my Lord, what I contend for, is this, that the entry in that book is the only proof that this die of 2*l.* was used by or under the direction and authority of the commissioners, and that this entry can only be proved by the production

of the book itself. Supposing my Lord, that the book had been produced, and that upon inspection, it should turn out, that there was no stamp of 2*l.* inserted there, in this case your Lordship must allow, that the prosecution would fail; but as the best evidence that it does contain this entry, has not been given, it must be presumed in favour of the prisoner, that the book does not contain the entry. Had there been a written order in the usual acceptation of the term, by the commissioners for the use of such and such stamps, your Lordship would not have admitted parole evidence to be given of the contents of this order, unless satisfactory proof was given that it was destroyed, or could not be produced; and I humbly submit to your Lordship, that the entry of the impressions of the dies in the book, renders it completely of the nature of a written document, and places it within the same rules of law. Supposing, my Lord, for argument sake, that the commissioners had neglected or omitted to provide a stamp for two pounds, in this case it would be incontrovertibly clear, that this indictment could not be sustained, and that they have provided it, can only be legally proved by the production of the book in which it is entered, and in the absence of such proof I have a right to assume in favour of the prisoner, that the commissioners have made no such appointment. I therefore humbly submit to your Lordship, that there is no legal evidence to go before the Jury, on this material allegation in the indictment, and that the prisoner is intitled to be acquitted.

Mr. Justice Le Blanc, I think there is evidence to go to the Jury. The commissioners gave their order by parole, they did not give a written order.

Mr. Scarlett, The directions to the officers to impress the stamps in the book was certainly by parole, but I humbly submit to your Lordship, that when the impressions were made in a book, that book must be considered in the light of a written order.

Mr. Justice Le Blanc, I cannot take it to be an appointment in writing, and I consider the evidence which has been given, as to the use of the stamps, as perfectly admissible and as proof to go to the Jury.

His Lordship having over-ruled this objection,

Mr. Scarlett said, I will now trouble your Lordship with respect to my second objection, and which I consider as the most material and as decisive of the fate of the prosecution. The prisoner is substantially charged with forging a die or stamp used by the commissioners with an intent to defraud the revenue; this is the nature of the charge. Now, in the first place, it is clearly proved by the gentlemen from the stamp-office, that the whole of the stamp except the words *two pounds*, are genuine, and also that the stamp has been issued from the office. I need not insist before your Lordship that to constitute a forgery there must be an alteration or imitation of some material part of a die, stamp, or instrument. In the present case it is alledged, that the II Pounds in the stamp which has been produced in court is not an impression from the genuine stamp. But in order to substantiate this charge, the prosecutors ought to have gone much further, and have proved that there had been an alteration in the value of the stamp. When the stamp was issued from the office it must have been some value, and for ought that appears in evidence, it might have been of the value of 2l. and therefore, I have a right to presume that it was of that value, and that whatever alteration may have taken place in it, has only been a re-impression of the original words denoting the value of it. Now, my Lord, I contend, that if this was the only alteration made in this stamp, the charge against the prisoner cannot be sustained. I will put a case, suppose a man erase from a bank of England note, a five pound note for instance; he obliterates, suppose, by some chemical process, *Five Pounds*, and then impresses upon it the same value. This clearly would not be a forgery, nor could he be convicted, unless it could be proved that this note had previously been of a lower value, and this would be a case exactly resembling the present prosecution. There are two circumstances necessary to constitute a forgery, the counterfeiting or altering the material part of an instrument, that which affects its value, and the doing it with an intent to defraud. I contend therefore, with great confi-

dence, that neither of these has been proved in the present case, because no alteration affecting the value of the stamp has been even attempted to be proved, and that unless it can be proved that the alteration was of such a nature as to alter its value, and make it pass for a different sum to what it originally bore, the case on the part of the prosecution cannot be sustained, and the prisoner must be discharged from this prosecution.

Mr. Scarlett dwelt on this point a considerable time, placing it in various points of view, and illustrating it by reference to similar cases.

Mr. Littledale followed on the same side. He contended that the authority of the commissioners for the use of the 2l. die, had not been made out by satisfactory evidence, that no order had been proved either for the making of a new die, or the continuing of the old one after the last alteration in the duties by the major part of the commissioners, and that though in point of fact, it might have been used, yet that there was not that proof of it which was necessary in so highly penal a case as the present. Mr. Littledale proceeded to observe that if his Lordship should determine that there was sufficient evidence on this point to go to the Jury, he still felt confident that the other objection which the learned gentleman who had preceded him, had stated, was unanswerable. It had been proved, that the stamp, with the exception of the words *two pounds*, was correct and genuine, and no evidence had been given, to shew that it ever bore a different value to what was now impressed upon it. It ought therefore to be presumed, that the part of the stamp which is stated to be not genuine, was the mere re-impression of its former value, which had by some means or other been obliterated. This I take it is the utmost length to which the evidence will carry this case, and which I contend does not amount to the offence charged in the indictment, and that therefore, the prisoner ought to be acquitted.

Mr. Williams followed on the same side, he principally dwelt upon the want of proof that the die of which the stamp was said to be a resemblance, had been used by

the direction and authority of the commissioners. He also contended that none of the dies found could be considered as at all bearing any resemblance to the dies or stamps used by the commissioners, of which indeed it was not in proof that there had been any imitation or resemblance attempted, as the evidence only amounted to this, that part of the impression now upon the stamp had not been made by the die used by the office. But no proof whatever was given that the stamp which is the subject of this inquiry was originally of a different value to that which is now purports to be, and yet this proof is surely necessary, when the object is to prove, that a material variation has been made in it. Mr. Williams, reverting to the former point, said, it had been stated in evidence, that a certain form was observed by the commissioners on the appointment of stamps after a new duty has been imposed, the major part of them assemble, and after selecting such stamps as shall be used, direct that impressions shall be made from them in their presence, and which, when approved of, are entered in a book. Now, your Lordship has no evidence that the die or stamp of which this is said to be a resemblance was thus selected and approved by the commissioners. This is certainly a material part of the case of the prosecution, and ought to have been supported by satisfactory evidence, and he thought that the die itself ought to have been produced, the maxim of the law was, that the best evidence should be given that the case will admit of; but there had only been loose and general testimony given, that certain dies were used by the commissioners, and that there was a die of two pounds. I have therefore sufficient reason humbly to submit to your Lordship, that there is no proof to go to the Jury of a die of which this stamp is alledged to be a resemblance, having ever been used by the commissioners.

Mr. Park, wished his Lordship to intimate whether he was satisfied that there was evidence of the proof of this die having been used by the commissioners.

Mr. Justice Le Blanc, "I certainly consider that there is evidence to go to the Jury of the die in question having been used by the commissioners."

Mr. Park, I am relieved by the decision of your Lordship from occupying the time of the court, by my arguments on the first objection urged by the learned counsel for the prisoner, but I cannot but observe that my friends appeared to have laboured under a mistake, in supposing that the act of parliament, requires that there should be any special appointment by the commissioners for the purposes of these fees. That this is not the case is clear, because the act expressly supposes that this use may be authorised by other persons for the clause quoted by my friend goes on to add "or by and under the direction of any other person or persons legally authorised on that behalf." With respect to the objection that is raised on the ground that there is no forgery of the whole body of the stamp, I confidently submit, that the law unquestionably is, that the alteration of any material part of an instrument, is as much a forgery as if the whole of it had been fabricated. This has been determined in a case reserved for the Judges, who were unanimous in their decision upon it, and I humbly conceive that the words denoting the value are not only a material part, but the very essence of the instrument being its operative part, and that which ascertains its value. The case to which I referred, is that of a person convicted of forging a medicine stamp, in which case the greater part of the label was genuine, but where an alteration had been made affecting its value. The decision upon the case by the twelve Judges had finally determined the law upon this subject, and he therefore felt confident, that it could not be shaken by any of the arguments of his learned friends. The alteration of the sum in a bill of exchange, for instance, had always been considered as much a forgery as if the names of all the parties had been counterfeited, and the whole of the bill had been false and forged, and he was confident that his Lordship would concur with him in opinion that the forging the material part of an instrument or stamp, was as much a forgery as if the impression of the whole had been counterfeited.

Mr. Scarlett, in reply, insisted that Mr. Park had not touched his objection, but had proceeded on the

assumption that a material part of the stamp had been counterfeited, and which he would agree with him would be forgery, but my argument, as your Lordship knows, was, that there had been no alteration made in the value of the stamp, but that there had been a mere re-impression of the value it originally bore, and that he had a right so presume this, because it was for the prosecutors to establish their case by proving that the value of the stamp had been altered, this they have not attempted to do, and I humbly and most confidently submit to your Lordship, that having failed in establishing so material a part of the allegation in the indictment, the charge against the prisoner must completely fail, and that he is entitled to be acquitted. Mr. Scarlett stated the case of a person who was tried for the forgery of a bank note in having altered the denominating value of it, but who was acquitted because the prosecutors failed in proving that it was originally of a different value. This Mr. Scarlett contended was a case fully in point and decisive in favour of the objection he had urged.

Mr. Justice Le Blanc. I have been anxious to hear and to attend to all that has been offered in support of the objection taken by the counsel for the prisoner. The charge against the prisoner is substantially this, that by a false die or mark he impressed or caused to be impressed the resemblance of a die used by the commissioners on a parchment deed, with an intent to defraud the revenue. To this, two objections have been urged; the first objection is, that evidence has not been given, that the die of which this impression is alledged to be the resemblance, was a die used by the direction and authority of the commissioners of the stamps, and the second objection denies that any forgery has been committed. With respect to the first objection the court has already expressed its opinion, that there is evidence to go to the Jury of the use of the die by the commissioners, and this is all that is necessary to be given in evidence. The act of the 48 George III. which imposes this duty and the 52 George III. which unites in one act

all the laws inflicting the punishment of death for offences against the revenue laws, both agree in this. The 9th of George III. in reference to this point enacts, "That if any person shall forge or counterfeit, or cause to be forged or counterfeited any stamp or die, which shall be provided, made, or used, in pursuance of this act, or of any former act," shall be adjudged guilty of felony, &c. The 52d George III. after stating "that if any person shall after the passing of this act forge, &c. any mark, stamp or die, used by or under the direction of the commissioners, &c." goes on to add, "or by or under the direction of any person or persons legally authorized on that behalf." The court therefore holds, that the use by the commissioners is all that is requisite, and that of this use there is evidence to submit to the consideration of the Jury. The court therefore does not consider this objection as valid. The other objection proceeds on the ground, that no forgery has been committed, in as much as it has not been proved, that any alteration has been made in the value of the stamp. It is contended, that as a considerable part of the stamp has been proved to be genuine, and must have been issued from the stamp-office, with words denoting its value. This value for ought that appears to the contrary, may have been the same that is now impressed upon it, and that in fact, there has only been a re-impression of the same words, which were upon the stamp when it was first issued. And upon this assumption, it is contended, that as no material part of the instrument has been altered, there has been no legal forgery. But it is unnecessary to give any opinion on the validity of this inference, because the foundation has not been laid, on which alone there could be a reason for examining it. There having been no evidence given to prove that this stamp was originally of the value of two pounds, and it undoubtedly lay upon the prisoner to prove this. For the case stands thus: There is a forged impression of a die upon an instrument, proved to have been in the possession of the prisoner, under circumstances which certainly call for explanation, and also in whose possession a

number of dies are found, made too by his own order; and two of which appear to have been used to make an impression, an impression proved to be false and counterfeit upon this instrument. If these facts are not accounted for by evidence, or explained somehow or other, the presumption in law is, that this false impression was forged for the purpose of increasing or altering its value, and for the purpose of defrauding the revenue. This presumption thus raised, it is for the prisoner to repel by evidence, but there is certainly *prima facie* evidence to go to a Jury. That the alteration of a material part of an instrument is a forgery has been solemnly determined, by all the Judges, in a modern case, that it cannot now be called in question. I cannot therefore, on these grounds stop the cause from going on."

Mr. Justice Le Blanc, "Prisoner, this is the time for you to make your defence."

Mr. Blackburn, who laboured under great and evident emotion, addressed the Court and Jury in the following terms:—

"May it please your Lordship,

"Gentlemen of the Jury,

"In the painful and anxious situation in which I am unhappily placed, I am ill-fitted for the task of addressing you on this occasion.—Agitated as I am between hope and fear, I can only solemnly assure you that I never forged a stamp in my life; but the public mind has been prejudiced against me by unfounded reports and advertisement, containing vile insinuations against me. But, Gentlemen, I entreat and charge you upon your oaths, that you banish all that you have heard out of this court from your minds, and all that I have to wish from you, is, that you be influenced only by the evidence, and that you will do unto me as you would wish to be done unto, were you placed in my unfortunate situation. I have practised as an attorney among my townsmen and neighbours with credit and res-

pectability for twenty-seven years; you will hear from them upon their oaths, the character I have maintained during that period. In making my defence, I have many great and indeed insuperable difficulties to contend with. I am called to furnish an answer, and that by evidence against a charge which I never heard of until I entered this court, for until I heard the indictment read I had no knowledge of that which they have imputed to me by this indictment. Of course it was absolutely impossible for me to be prepared with evidence to rebut the charge. With respect to the deed in question, I know nothing of it, it has been long out of my possession, and it is clear by the evidence of the witnesses for the prosecution, that it has been subject to exposal. I would only observe that I had received a regular stamp affixed to it, the engrossing clerk must have seen it, and it must likewise have been observed on the office when the deed was registered. When my drawers were searched, my account books were taken away, and thereby deprived me of all means of proving the deed in question, or of proving where the stamp was bought. I had therefore no clue to direct my search. With respect to the spoiled stamps, I would observe, that they have been long a long time, and that the period of claiming the allowance for them has long elapsed. It often happens, that when a deed is engrossed, the execution may be delayed for very considerable time beyond the period allowed for claiming the allowance, and if ultimately it should not be executed the stamp would be entirely lost, this will account for the spoiled stamps which in a long series of years have been accumulated. I declare to you, Gentlemen, that the deed in question had upon it a regular stamp when it was executed in my office, and I trust you will not presume any thing against me, that you will attend only to the evidence, and that you will decide upon my fate with the same candour as you would wish in similar circumstances to have shewn to you. My life is in your hands. I shall submit resignation to your decision, and I trust that your decision will be right."

Mr. Joseph Hood, in the Anchor, at Leeds. He has known Mr. Blackburn for upwards of thirty years, and has dealt with him. He has found nothing amiss of him but what was honest and fair. From the acquaintance he had with his character, he could not have conceived him capable of committing the offence imputed to him.

Sir William Gossip, Chief Bailiff of the Honour of Pontefract, said, I have known Mr. Blackburn twenty years last August or September, I have been intimate with him like a couple of boys. He always acted like an honest and honourable man in all his transactions with me. I had a favourable opinion of him then I placed my son under his care as an articled clerk, and I should never have opposed his being elected to succeed the office.

Mr. Thomas Hill, stated, that he was a Merchant at Leeds, and had known Mr. Blackburn twenty years, and had dealt with him pretty much all that time, and have never had anything but what was honest, honourable and upright.

Mr. William Fenton, is a Woolstapler at Leeds. His evidence to character was to the same effect as the last witness.

Mr. Jeremiah Burton, is a Merchant at Leeds. He has known Mr. Blackburn in his profession many years, always considered him a man of honour, integrity and character, by all who had dealings with him.

Mr. Hartland, is a Merchant at Leeds. He has known the prisoner about eighteen years. He has ever found him a very honest upright man. He has had dealings with him to the amount of from 1000 to 2000 l. a year. He always found him honest and fair in his dealings.

Mr. Benjamin Hargrave, is a Surgeon at Leeds. He has been acquainted with Mr. Blackburn twenty years. Has

known him in his professional character, and always considered him as a very honest man, and worthy of the utmost veracity and integrity.

Mr. James Clough lived within a few yards of the prisoner. Has known him for upwards of ten years, and he has always conducted himself towards him as a good neighbour.

Mr. George Wilkinson is a Woollen-draper, Leeds. Has known the prisoner for a considerable number of years. Never heard anything contrary to his being an honest deserving man.

Mr. Robert Fowler is a Woollen-draper, Leeds. Has known Mr. Blackburn for [illegible] years. Has always found him perfectly right, and believes him incapable of committing such an offence.

Mr. John Brown, Leeds, Draper and Carpenter, declares he has known the prisoner ten years. Always considered him as a very open and upright man, and has always employed him in his profession.

Mr. Robert Hedley, has known Mr. Blackburn [illegible] years. Has known a great number of years, and has always found him a very upright and honest man, and has known him to be employed in many [illegible] having one of the best characters in the world for honesty and integrity.

Mr. George Thackray, Leeds, Builder, declares he has known Mr. Blackburn [illegible] years. Has employed him in his profession, and always found him a very upright and faithful [illegible].

Mr. Henry Topham, [illegible] of the prisoner thirteen or fourteen years, and during that period, knows always considered him a very honest upright man.

Mr. John Greenbury, Saddler, Leeds, has known Mr. Blackburn eight or nine years. Has employed him in his profession, and he has always behaved as an honest gentleman.

Mr. John Urquhart, Linen-draper, said, I have known the prisoner ten or eleven years, and have always found him

to be perfectly correct and honest, and that, in my belief, is his general character.

Mr. Joseph Snyder is a Glue-maker at Leeds, and has known Mr. Blackburn for twelve years. Has known him in his business, and never heard any thing but what was perfectly honest of him, and that has been his general character.

Mr. John Scott, is a Banker at Leeds, has known the prisoner twenty-one or twenty-two years. Has always thought him a very honest, sober, and just man. Has employed him as an attorney.

Mr. Robert Meek, Gentleman, at Leeds, has known Mr. Blackburn these twenty years, and never heard any imputation upon his character for honesty, honour, and integrity.

Mr. Christopher Hargrave is a Leather-dresser at Leeds.—He has known the prisoner for fourteen or fifteen years—always had a high opinion of the strictness of his principles, and the good nature of his disposition.

Mr. Jeremiah Bentley, Sandiacre, Ayscomb, near York. Has retired from business. Has known Mr. Blackburn upwards of twenty years, and during that period prisoner has always maintained a very good character. The prisoner had the business of his, which he always transacted very much to the satisfaction of his employers.

Mr. Elliott Garret, is an Attorney at Dewsbury. Was articled to Mr. Blackburn's father, about six years and a half, and quitted his service in October, 1804. Witness has been in business in Dewsbury, and has always considered him a very respectable man, and very upright, and should have considered him creditable. (Mr. Park said, he had no wish to object to the question, but as the witness was in the profession, he should now object to it.)

Mr. William Wrigglesworth, has known the prisoner twenty-six years, has known him in his business, and always considered him as having a respectable character for honesty.

Mr. William Wrigglesworth, is a Timber-merchant at Leeds, and said, I have known Mr. Blackburn fourteen years,

[redacted] and forged, and that many of the circumstances go to prove, that the prisoner must either have forged the counterfeit impression himself, or have procured it to be done. It is for you, when I have read over the evidence, to determine how far they have made good the charge contained in this indictment. Before I recapitulate the evidence, I would remark, that to constitute a forgery, it is not necessary that the whole of the instrument should be forged and counterfeit, to make any alteration which shall affect its value, is as much a forgery in the eye of the law, as if the whole instrument had been fabricated. To alter, for instance, the sum in a bill of exchange, is as much a forgery of it as if the whole body of the bill had been written, and the names of the parties forged; and to come nearer to the present case, to abstract any part of a stamp, which shall cause it to appear to be of a different value, would be the same offence as to forge the whole impression of the die. His Lordship now proceeded to recapitulate the evidence as we have stated it in the preceding pages, making upon it such observations as appeared to elucidate its application to the case. His Lordship having gone through the evidence with great perspicuity, said it remained with the Jury to estimate the weight and credibility of the evidence which had been laid before them, and to determine how far it supported the allegations in the indictment. If the evidence should fail to satisfy them that the prisoner actually forged or caused to be forged the impression upon the stamp, they would then consider the evidence as it applied to the uttering and publishing of the deed, with the knowledge that it was false and counterfeit. If the evidence was such as to leave it a matter of reasonable doubt, whether the prisoner was guilty either of forging or uttering with a guilty knowledge, they should then take the good character which had been given him into consideration, and give him the benefit of it by suffering it to turn the scale in his favour. But if they felt convinced by the facts which had been given in evidence, and the observations which had been made upon them, that the prisoner was guilty of either forging or uttering with a guilty knowledge, they would then discharge their duty by finding a verdict of

guilty.—You, Gentlemen, continued his Lordship, have heard the whole of the case, with the observations which have been made upon it, and it is for you to decide upon it, by finding such a verdict as your consciences, and the issue of the case shall require.

Clerk of the Arraigns. Gentlemen of the Jury, consider of your verdict."

Juror. We wish to retire.

An Officer of the Court was then sworn in the usual manner to attend the Jury, who remained out of Court a quarter of an hour. On their return, their names were called over, when the Clerk of the Arraigns demanded whether they were agreed in their verdict? The Jury having signified that they were agreed, the Clerk of the Arraigns further demanded, Who shall speak for you?

Jury. Our Foreman.

Clerk of the Arraigns. Gentlemen of the Jury do you find the prisoner, Joseph Blackburn, guilty of this felony and forgery, with which he stands charged by this indictment, or not guilty?

Foreman of the Jury.—GUILTY.

Clerk of the Arraigns. Gentlemen of the Jury, hear your verdict as the Court has recorded it, you find that Joseph Blackburn is guilty of the felony and forgery with which he stands charged by this indictment. This is your verdict, and so you say all?

Foreman of the Jury. Yes.

A general expectation having prevailed, that the trial of this unfortunate Gentleman was to come on as this day, the Court was filled to excess at a very early hour. Sir Simon Le Blanc entered the Court a few minutes after nine o'clock, when Mr. Blackburn, and Mr. Weinwright were placed at the bar.—Mr. Blackburn was dressed in a suit of mourning, and had his hair powdered, and appeared considerably thinner than when he was first committed.—There was in his deportment a degree of solemnity, and

the appearance of deep-rooted sorrow, which powerfully excited the painful sympathy of every person in the Court. He conducted himself during his trial with great propriety, and sustained the investigation with a considerable degree of firmness. But the fatal verdict of guilty seemed to subdue his mind, and he appeared to take no interest in, and to pay no attention to, the second trial he was fated to endure, upon an indictment, in which he was charged jointly with Mr. Wainewright, for removing stamps from one deed and affixing them to another. Upon this indictment he was acquitted. Mr. Blackburn was so much overpowered by his feelings, that it was with great difficulty that he was conducted out of court.

On the following Wednesday this unfortunate Gentleman was brought into Court with the other unhappy prisoners capitally convicted, to receive sentence of death. To the last solemn interrogatory put by the law, "What have you to offer why sentence of death should not pass upon you?" he heaved but made no reply. Mr. Justice Le Blanc proceeded in the following terms to pass sentence on the prisoners, and though it was addressed to all the unhappy persons who had been capitally convicted, yet as it had a more marked reference to the case of Mr. Blackburn, it is thought right to subjoin it:—

"You the prisoners now at the bar present a melancholy and awful example of the fatal consequences of an ill spent life, and a departure from the obligations of justice and honesty. The offences of which many of you have been convicted, must have been contemplated in the mind a considerable time before they were perpetrated, and could not from their very nature be the result of a sudden impulse or temptation. (Here his Lordship particularly addressed himself to Mr. Blackburn.) I am sorry to remark that you Joseph Blackburn, whose education and habits of life, had furnished you by the exercise of an honourable profession, with the means of maintaining yourself in credit, should have been induced to resort to such dishonest artifices. But the thirst of money, or the wish to grow rich by means more rapid, than by the exercise of

prient industry, has induced you not only to plunder the public revenue, but to involve private individuals in distress, if not absolute ruin. By a series of ingenious contrivances, you have been able, by imitating the stamps used in the conveyance of property, to injure the public revenue to a very considerable amount, and by affixing those forged stamps to conveyances and other instruments you have put to hazard property to a very great extent." After some observations on the cases of the other prisoners his Lordship concluded his address in the following impressive terms:—"Prisoners, you have heard the lamenting voice of the law calling upon you to declare if you have any thing to offer why its severest sentence should not pass upon you. To this appeal you have been able to make no reply. I need not earnestly admonish you to devote what yet remains of life to serious consideration. It is possible that your present situation, calamitous as it is, may prove the means of your final salvation, and may deter those who witness or hear of your unhappy fate from treading in the path which has conducted you to shame and death. Prisoners, hear the sentence of the law. The sentence of the law is, and this Court doth award, That you, the several prisoners at the bar, be taken from hence to the place from whence you came, and from thence to the place of execution, where you shall be severally hanged by the neck until you are dead, and may the Almighty in his mercy have pity upon your souls."

The deportment of Mr. Blackburn, during this solemn and painful scene, evinced the anguish which penetrated his heart, and which produced the most visible effects upon his frame, which appeared convulsed with agony. After the awful ceremony was concluded, he was conducted or rather carried again to prison.

On Friday the 26th of March, Mr. Justice Le Blanc quitted York, leaving Mr. Blackburn for execution at the usual time, which according to the usage on these occasions would be Saturday the 6th of April. The interval

was brief, and his friends determined to lose no time in applying to the Prince Regent for a mitigation of his sentence. A petition was accordingly prepared, praying for the exercise of the royal clemency towards him, and in the course of two or three days, this application for mercy was signed by upwards of three thousand persons, chiefly the fellow-townsmen of the unfortunate prisoner. On Sunday, the 26th March, Mr. Elliot Carrett of Dewsbury, one of the attornies employed in conducting the defence of the prisoner, went to London, for the purpose of presenting the petition to the Prince Regent, and of taking such other steps as should appear likely to contribute to the attainment of the object of the petition. Mrs. Blackburn, the wife of this unfortunate gentleman, also repaired to London, with the view if possible, of throwing herself at the feet of his Royal Highness to supplicate for the life of her unhappy husband. Every means which zeal and friendship could suggest, was used to give effect to this petition: applications were made to persons of influence and consideration in the state, to secure their co-operation, but, unhappily without success; and every hope of procuring either a mitigation or suspension of the dreadful sentence of the law was extinguished by the following letter from Viscount Lord Sidmouth, his Majesty's principal Secretary of State for the Home Department.

Whitehall, 1st April, 1816.

"Sir,

"I have laid before his Royal Highness the petition which I received on behalf of Joseph Blackburn, a prisoner under sentence of death in the Castle of York, for Forgery; and I am under the painful necessity of acquainting you, that it did not appear to me consistent with my public duty, to advise his Royal Highness to remit or suspend the execution of the sentence passed upon this unfortunate person.

"I have the honour to be,

"Sir, your most obedient servant,

(Signed) "SIDMOUTH."

Before the result of this application to the Prince Regent was known to either the prisoner or to his friends at Leeds, it was deemed adviseable to submit to Mr. Justice Le Blanc, who was then at Lancaster, certain affidavits. The object of these affidavits was to shew that the deed was executed on the day it purported to bear date, which was on the 30th September, 1812, and that as the dies spoken to by Mr. Topham, was not delivered at the office of Mr. Blackburn until the following month, it was quite impossible that any forgery of the stamp on the deed in question, could have been made by him at the time it was executed. The following extract of a letter from Mr. Blackburn to his solicitor on this subject will best explain their nature and design. The letter is without date, but was evidently written after sentence of death was passed upon him.

"I have no doubt Mr. Smith did not intend to speak wrong, when he stated that it was in November that he engrossed the deed, but he is most egregiously mistaken, and he ought not to refuse to rectify the mistake. I am positively certain that the deed was executed and the money paid at my office, on the same day the deed is dated; because I well remember it was getting dark at night, and Taylor, the mortgager had got half drunk, and I wished him to leave me the money until the next day, but he took it, and two persons, I think the Stewards, undertook to see him safe home to Armley with the money, and Taylor agreed to give them one shilling or two shillings apiece, for their time and trouble; mention this circumstance to Taylor and to Thomson, it will remind them if they have forgot. * * * * Smith most assuredly wrote the deed in September, and it was in November when he received pay for writing it. And with regard to the stamp upon it I am certain it was a genuine 2l. stamp which had been removed from an unexecuted mortgage deed of "John Illingworth, and Allen Hodgson," both living at Hunslet, and of some premises at Hunslet but was not executed, and I never received pay for that deed preparing or the stamp, and there is now a square

hole in that skin or deed; to shew the place where the stamp was cut out of it and the parchment was cut out with it, and the prosecutors now have that skin with the stamp so cut out. That mortgage was for 200l. and the stamp was 2l. and I must presume that Smith could not rule the parchment and skin of "Taylor to the Society" and also score the margin with red, close to the stamp, and also rule his lines and write close to the stamp, but he would or must have seen that it was a genuine 2l. stamp, and not then disfigured with the rough irregular counterfeit mark of 2l. which appears since then to have been impressed upon it. Now take notice of the meaning of these affidavits, they are to shew to the Judge, that the deed given in evidence which was "Taylor to the Society" was prepared by me, engrossed by Smith, and executed by Taylor, were all done in September, and before the time which Topham gave evidence of sending the brass letters, or words, or dies, to my office, which he said were sent in October; therefore it is to shew that a stamp must have been put on, and the deed executed in September, before it was possible for the rough counterfeited mark of Topham, could possibly be made or impress upon that stamp. Jacques put on that stamp, and indeed all the stamps, but I say and insist, that all the stamps so put on by him, for me, were all taken off from spoiled or unexecuted deeds, and of course the stamps had been before paid for by me. In this case I well remember, that after the deed was executed, before it was registered, that these marks or dies were sent to my office from Topham, and Jacques then wanted to wet the stamp again, and to mark or impress with Topham's dies, the two pounds over again, merely to make the experiment, to try how it would appear, but I then refused to permit him, and it was not done, we tried them with wafers and paper and with sealing wax, and found the impressions of Topham, would disfigure a stamp. They were never made use of by me, or with my knowledge, and I am now certain that Jacques marked the impression for curiosity before the deed was delivered out of my office; as I do affirm and declare,

the first time I saw that disfigured mark of 2l. upon the stamp, was on the trial and conviction, and I had no previous knowledge or intimation of it whatever, and was struck with horror and dismay, and of course was not prepared to give an answer to it, but a denial of all knowledge of it; but on recollection and ruminating in my mind, I well remember it was a genuine 2l. stamp and had been cut out and removed from the unexecuted deed of gift to Hodgson" as is mentioned above, and they possession now have that unexecuted deed with stamp in their possession.

I am informed that my petition will be handed from the secretary of state to the Judge who tried me, who makes his report back again to the secretary of state; I much fear his report will not be in my favour as he was much prejudiced against me, and stated nothing in my favour in his address to the Jury; therefore it is absolutely necessary that the affidavits should be done immediately, and I beg of you to go with them, the moment they are done, to Lancaster, and get Mr. Williams and Mr. Scarlett, or both to go with you to the Judge, as I apprehend he will require you to state, that you saw the parties sign them, and also that they are the same persons that gave evidence on my trial * * * I beseech you do not lose a moment of time.

Pray God bless you and every body,

your distressed Friend,

Jo. BLACKBURN.

Mr. Joseph Wood, attorney at law, Leeds, to whom this letter was addressed, and who had jointly, with Mr. Elliot Carret of Dewsbury, conducted his defence, lost not a moment in seeing the parties referred to in the preceding letter, and who readily made the depositions suggested in it, and early on the following morning Tuesday the 4th of April, he proceeded to Lancaster, at which place he arrived

at 2 o'Clock on Wednesday morning. At seven o'Clock he repaired to the lodgings of Mr. Williams, who having perused the documents brought by Mr. Wood, accompanied him to the Judge's lodgings, where they were presented to Mr. Justice Le Blanc, who attentively perused them, and listened with the most patient attention to what was offered on behalf of the unhappy prisoner. His Lordship during this conference frequently referred to the diet, and to the great injury which had been done to innocent individuals, and he ultimately refused to make any order for the mitigation, or suspension of the sentence, he had passed upon the prisoner.

On the following morning (Thursday) finding from the report of Mr. Williams, that there was no hope, Mr. Wood presented the following note to Mr. Justice Le Blanc, in his passage to the court.

"Mr. Wood, attorney of Leeds, begs leave very respectfully to represent to Mr. Justice Le Blanc, that he is come to Lancaster, solely for the purpose of submitting the affidavits which were presented by Mr. Williams yesterday. Mr. Wood is well aware that he can by no means, presume to importune Mr. Justice Le Blanc, but he is, at the same time, waiting on no other account, and considers himself as the bearer of a message on behalf of the unfortunate for whom he has been employed." Thursday, half past eight.

Mr. Justice Le Blanc having read the note, conferred a moment with Mr. Park, and then calling for Mr. Wood, said he regretted to have to state that he felt it to be his duty to adhere to the judgment he had passed, upon the unfortunate person referred to in his note, and that he could not make any order in his behalf.

Thus unsuccessfully terminated, the second application which was made to save the life of this unfortunate gentleman; we subjoin (by permission) copies of the letters addressed by Mr. Wood, to his unfortunate client, with respect to the progress and fatal termination of this mission.

"My old Friend, Lancaster Castle, 5th. April."

I write this upon the crown of my hat, in Lancaster Court, at the Nisi Prius end, where Mr. Justice Le Blanc is trying causes. I arrived here at 2 o'Clock this morning, by the mail coach, I was with Mr. Williams by seven o'Clock this morning, and after reading your letter to me, the affidavit of Thomson, Taylor, Smith, and Musgrave, and the copy of memorial, with Mr. Dalton's certificate of registering, on the 1st of February, 1813, examined with the original by me from the roll at Wakefield, copied on a 5s. stamp. He, Mr. Williams, accompanied me to the Judge's lodgings, and Mr. Williams presented those three documents to the Judge, with whom they now are, as the Judge had not time to read them until after the rising of the Court, and as that time will of course be after the post leaves this place, I therefore feel it my duty to write to you before the Judge's answer can be obtained, and therefore I must be in waiting, and if the answer be any way favourable, I shall use my best expedition to bring or hand you the Judge's decision, and I shall return from here by Thursday afternoon's Liverpool mail, which goes through here at 6 o'Clock in the afternoon, and arrives at York about half past ten at night. Mr. Williams says the Judge has received Mr. Barstow and Mr. Hamilton's letter to the sheriff of Yorkshire, and was inquired of him to know who Mr. Barstow was, and whom I described, as being an independent gentleman, residing at Acomb near York. Whether any respite will be given you, I cannot now inform you. This evening I shall be with Mr. Williams, and perhaps the Judge also, as Mr. Scarlett says the Judge listens to him with very steady attention, but does not give any hope or prospect of a reprieve, or a lessening of your sentence, and frequently refers to the dies which have been used to the great injury and inconvenience of innocent individuals."

Sincerely always yours, &c.

Jo. WOOD.

To *Mr. Blackburn*,

Attorney at Law,

York Castle.

"Dear old Friend,

"Notwithstanding every effort by Mr. Williams, and Mr. Scarlett, and my utmost endeavours, Mr. Justice Le Blanc this morning in open court made known to me that he could not grant any respite of your sentence, I am heartily sorry at this disappointment, and most so on your account. I find I cannot have a passage in the mail coach this afternoon, so that I cannot reach Leeds sooner than Saturday evening, but if I had had any thing favourable from his Lordship on your behalf, I would have taken post chaise, so as to have been in time to you with welcome news. God almighty bless you, and may your soul enter into his eternal bliss."

Farewel sincerely,

Jo. WOOD.

"Lancaster, 6th April, 1815, past 2 o'Clock in the afternoon."

The result of this application to Mr. Justice Le Blanc, was not known at York until eleven o'clock on the night previous to the execution. But happily for the prisoner, he was kept in ignorance of the progress of this application, and the letters addressed to him on the subject never came to his hand, he was thus preserved from that cruel suspense and agitation of mind which must necessarily have resulted from the struggles of alternate hope or fear, on a subject so deeply interesting. It has been before stated, that Mr. Blackburn was deeply affected when the awful sentence of death was passed upon him, and it was soon after this affecting scene, that the Rev. Robert Winter Hamilton, a Minister of a dissenting congregation at Leeds, was intro-

deed to him, and though several hours had then elapsed, yet the impression of it was still visible, "in a restless fever," and almost paralized limbs. He endeavoured to allay the agitation and dissipate the gloom of his mind by speaking to him of religion and a future state. The unhappy man listened with eager attention to his remarks on this momentous subject, but replied in a manner, that "indicated despair," "my sins are great and many (exclaimed he) and I am afraid that my late repentance will be rejected." He appeared to "view himself as one who having declined from the ways of religion," had been given up to a reprobate mind. After some further conversation on religious topics, Mr. Blackburn requested that the visit might be repeated, but this was objected to by the Rev. George Brown, the Ordinary, who said, that Sectarians were not permitted to officiate in that place. This opposition rendered a formal application to the Judge necessary, and Mr. Justice La Blanc readily signed an order, directing the Rev. Mr. Hamilton to be admitted to visit the prisoner at all seasonable hours. From this period Mr. Hamilton was very frequent in his attendance upon the prisoner, and endeavoured to impress his mind with those principles which he conceived to be the peculiar doctrines of revelation. In the second interview, the unhappy prisoner put to the minister the well known and interesting question, "What must I do to be saved?" and when the answer was given, he appeared to doubt whether the divine mercy would be extended to his aggravated case: though he added with streaming eyes, "that he continually sought it." He continued for some days to labour under a desperate delirium approaching to despair, arising as he himself stated, not from the dread of temporal death, but from a deep consciousness of the aggravated guilt of his past life, his total neglect of religious observances, and his great indulgence in forbidden sensual pleasures. He stated "that the irregularities of his past life had been so great as to have deserved that death which had been awarded against him,

for an offence of a different nature. He added, that these crimes had been committed against light and knowledge, and that he had only repented of them, and thought upon religion, when every sensual pleasure had been cut off, and every earthly hope had become extinct. We rejoice however in being able to add, that in a few days some faint rays of hope penetrated the gloom which oppressed his mind, and as the merciful provisions of the Gospel were unfolded to him, and its encouraging promises pressed upon his consideration, those hopes became brighter, and cast, if not a brilliant, yet a cheering ray of light on the gloomy path he had yet to tread; and as these who are peculiarly interested in his fate, it may be consolatory for them to learn, that his hopes of being a partaker in the Divine Mercy gained strength as he approached the fatal hour which was to release him to the bar of the Almighty Judge; and though the hope was far removed from that confident assurance which some conceive to be necessary, and was chastened by a conviction of his past sins, and the recollection that he had only begun to think of religion at the close of the day of life, yet it was a hope sufficient to calm the perturbations of the wounded mind, and enabled him to support the prospect, and endure the cruelty of an ignominious death with patient resignation.

On Wednesday it was communicated to Mr. Blackburn, that the application to the Prince Regent for royal mercy towards him had been unavailing, and that no hope remained for him in this world. He bore the fatal tidings with great fortitude and composure, and from that moment appeared to have dismissed from his mind every hope of life, and every earthly care. On Thursday, the 11th of April, the morning of the chapel, and heard with profound attention a sermon preached by the Rev. Mr. Richardson, and he had some religious conversation with him after the other prisoners had retired. On Friday afternoon the prisoner had a last interview with his brothers, his unhappy wife had come to take of him the same painful occasion, but on Mr. Hamilton representing to her that an interview with her might disturb the tranquillity of his last hours, and recal to his recollection

many painful circumstances, she was prevailed upon to sacrifice her own feelings to his peace of mind. It may be proper to state, that this lady had visited her unfortunate husband the day subsequent to his receiving sentence of death, and that the meeting was inexpressibly affecting; and it was the knowledge of the poignancy of feeling which had been excited on this occasion, that induced Mr. Hamilton to dissuade Mrs. Blackburn from hazarding a repetition of them.

The fatal hour was now rapidly approaching which was to separate this unhappy man from every earthly care, and dissolve every earthly tie, and the Rev. gentleman who attended him remained with him the whole of Friday night. How this last night was spent, every susceptible mind will readily conceive; religious conversation and fervent addresses to the Supreme Being for mercy and support occupied its hours. About one o'clock in the morning tea was prepared, and Mr. Blackburn was prevailed upon to take some refreshment. Soon after he said, "I now feel so calm and composed, that I think I could now meet the execution of my sentence with fortitude. I could almost wish that the officers of justice were already come, for I fear, lest my spirits should fail me when the awful hour actually arrives." Mr. Hamilton remained with him until five o'clock in the morning, when he retired for a few hours to his own lodgings, and he recommended Mr. Blackburn to lay down upon the bed, and endeavour to procure a short repose. Mr. Blackburn complied so far as to lay himself down, but he slept not. Mr. Hamilton returned about nine o'clock to the Castle, and remained with the prisoner until about a quarter of an hour past eleven o'clock, when he left his cell until the under gaoler had made some preparations for his approaching fate, too painful for this gentleman to witness. At 20 minutes before 12 o'clock, the Under Sheriff proceeded to the cell of the prisoner, and in the awful language of the law demanded his body for execution, in pursuance of his sentence; he was fully prepared for the awful summons, and immediately followed the messenger of death. Mr. Hamilton took him by the

arm, and the melancholy procession moved on to the fatal platform.—Mr. Blackburn walked with a firm unhesitating step, and perfectly erect. It was a quarter of an hour before twelve o'clock when the procession arrived upon the platform. The prisoner immediately kneeled down upon a stool provided for the occasion, with his face averted from the numerous spectators, who were assembled to witness this sad and melancholy spectacle.

The Rev. gentleman who had with such zeal and unwearied assiduity attended him in his prison house, to speak to him the words of peace, did not shrink from the painful task of attending him through this last and painful stage of his earthly pilgrimage; placing himself near the prisoner, he in a low tone of voice, asked him some questions relative to the state of his mind, with respect to his approaching change, and particularly with respect to his entire dependence on the mercy of God, through the merits and mediation of the Messiah.—To these inquiries he replied, "I have no other, I wish no other trust." Mr. Hamilton now inquired if it was his wish that he should pray with him, he eagerly replied, "If your feelings on this occasion are not too much agitated, I shall be greatly obliged:" kneeling down close to the prisoner, who kept his eyes closed during the whole of this sad solemnity, he offered up a prayer at once solemn and tender, and adapted equally to the former character and present situation of the humble penitent before him. Mr. Blackburn appeared deeply to feel and fervently to join in this last act of devotion, and when the minister came to that comprehensive model of devotion, the Lord's Prayer, (in which, however, the petition "give us this day our daily bread," was omitted, as inapplicable to his peculiar case) the prisoner accompanied him in an audible voice.

When Mr. Hamilton rose up from prayer, he took Mr. Blackburn by the hand, and having commended him to the mercy and protection of the Almighty, took a sad adieu of him, conjuring him that when he suffered death, and was entering eternity, he should aim at no higher strain than this, "God be merciful to me a sinner." The poor

sufferer grasped his hand, and appeared reluctant to part; and in a voice rendered tremulous by emotion, said, "May God Almighty bless and protect you." It now only remained for the executioner to perform his part in the heart-rending ceremony. Mr. Blackburn was assisted to rise, and it was evident that the powerful emotion of his mind had impaired his strength, and the under gaoler supported him in his arms until the fatal cord was placed round his neck, and properly adjusted. At this awful moment, he ejaculated, "O Lord God Almighty, have mercy upon me, and preserve my soul alive." These were the last words he was heard to utter, as the drop instantly fell.

It is painful to add, that the noose of the cord, had, by some means or other, slipped from its proper situation, and he appeared much convulsed. After he had been suspended about two minutes, the executioner endeavoured to replace the cord in its original situation; in this attempt we believe he succeeded, but it seemed to harrow up the feelings of every person present, and produced a stronger sensation of distress than any part of this dreadful ceremony. In about six or seven minutes from the falling of the drop, he appeared insensible of further suffering. The body, after remaining suspended the usual time, was put into a coffin, and delivered to his friends. The remains of this unfortunate victim to the offended laws of his country were interred at an early hour on Monday, at Rothwell, a village near Leeds.

END OF VOL. II.

INDEX.

VOL. II.

A

[redacted], Murderer	death	190
[redacted], Murderer	death	194
[redacted] Richard, and Thomas C. Forgery		
[redacted], Richard, and Hall Alexander, Fraud	transportation	214
[redacted] William, Forgery		151
[redacted] Assault, Robbery		204
[redacted] Arthur, Robbery	death	267
[redacted] Charles, Defraud	imprisonment	
[redacted] Joseph, Smuggling	death	299
[redacted] John, Murderer	death	296
[redacted] William, Murderer	death	379
[redacted] Thomas, Murderer	death	
[redacted] Montgomery, Murderer	death	
[redacted]	death,	499
[redacted]	death	509
[redacted] Murderer	death	519
[redacted] Mary, Murderer	death	
[redacted] arm Joseph, Forgery		

C

James, Murderer	death	75
William, and Draper William, Stealing	transportation	159
[redacted] Fact		209
[redacted] Stolen		245
[redacted] n John, and Jenkins William, Burglary	death	279
[redacted] l William, and Smith John, High Treason	death	288

[redacted]

[redacted] n Alexander, Esq. Fraud	imprisonment	127
[redacted] harles, Horse Stealing	death	175
[redacted] n John, Esq. Stealing	transportation	181
[redacted] Daniel, Robbery	death	213
[redacted] John, For buying guineas	imprisonment	383
[redacted] n Daniel, Poisoning Horses	death	419
[redacted] on John, Forgery	transportation	435

PAGE.

F

Faulkner Richard, Murderer .... death 29
Fordham Mary, Murderer .... imprisonment 184
Freeman, and Others, Housebreakers .... death 494
Finch George, and Tomlinson William, Housebreakers .... death 449

G

Griffin Henry, Murderer .... death 377
Green Mary, Paying base coin .... imprisonment 190
Gamage Lieutenant, Murderer .... death 377
Grave Robbers, ...

H

Hatfield John, Forgery .... death 8
Haywood Richard, Robbery .... death 26
Holloway John, and Haggerty Owen, Murderers .... death 63
Hughes John, and Robinson James, Conspiracy .... pilloried 268
Hilliker Thomas, Incendiary .... death 490
Hodge the Hon. A. W. Murderer .... death 508
Housebreakers, defeat of 116
Housebreaking 242
Hebberfield William, and Whitehead Paul, Forgery .... death 240
Hulse William, Embezzlement .... imprisonment 268

J

Jarvis Thomas, Rape .... death 249
Jones Mary, and Paine Elizabeth, Stealing .... Annie position 256
Illidge Jane, and daughter, Keeping disorderly house .... imprisonment 256

K

King John, Perjury 256
King Elizabeth, Theft .... death 256

L

Lee Rebecca, Cruelty .... fined 183
Lowe Richard, An assault .... imprisonment 250
Landlord .... death 370

M

Marlborough James, and Sarah his wife, Cruelty .... imprisonment 184
Moulde William, Murderer .... death 364
Mutineers and Murderers 262
Murderers and Suicides 265
Moore Henry, and Wild John, ... imprisonment 266
Morrey Edith, and Lomas John, Murderers .... death 462
Marquis of Sligo, Enticing seamen, ... fined £3000. 256
Marsh William, and Bacon William, Stealing oxen, ... death 484
M'Donald Patrick, Stealing, ... 88

PAGE.

P

Picton Thomas, Esq. Cruelty ....
Pitch Richard, Murderer ....
Palmer John, Burglary, ...
Pugh Thomas, and Elizabeth, Conspiracy, ...
Payne Richard, and Maloney John, Robbery, ...
Palm C. F. and Tilling Samuel, Murderers ....
Prentergast Patrick, Housebreaking ....

R

Riots, Manchester weavers ....
Renshaw Benjamin, Incendiary ....
Robbery and Suicide ....
Romney J. D. Forgery ....
Robinson J. Murderer ....
Rutford Jenkin, Mutiny ....
Shipton Richard, and Pollard John, Stealing ....

S

Smith Francis, Murderer ....
Smith Robert, Robbery ....
Shenton Thomas, Murderer ....
Smith Frederick, Fraud ....
Swindler outwitted ....
Swiney James, and Others, Murderers ....
Stark George, Forgery ....
Symes, Esq. Seduction ....
Simmons John, and Others, Stealing ....

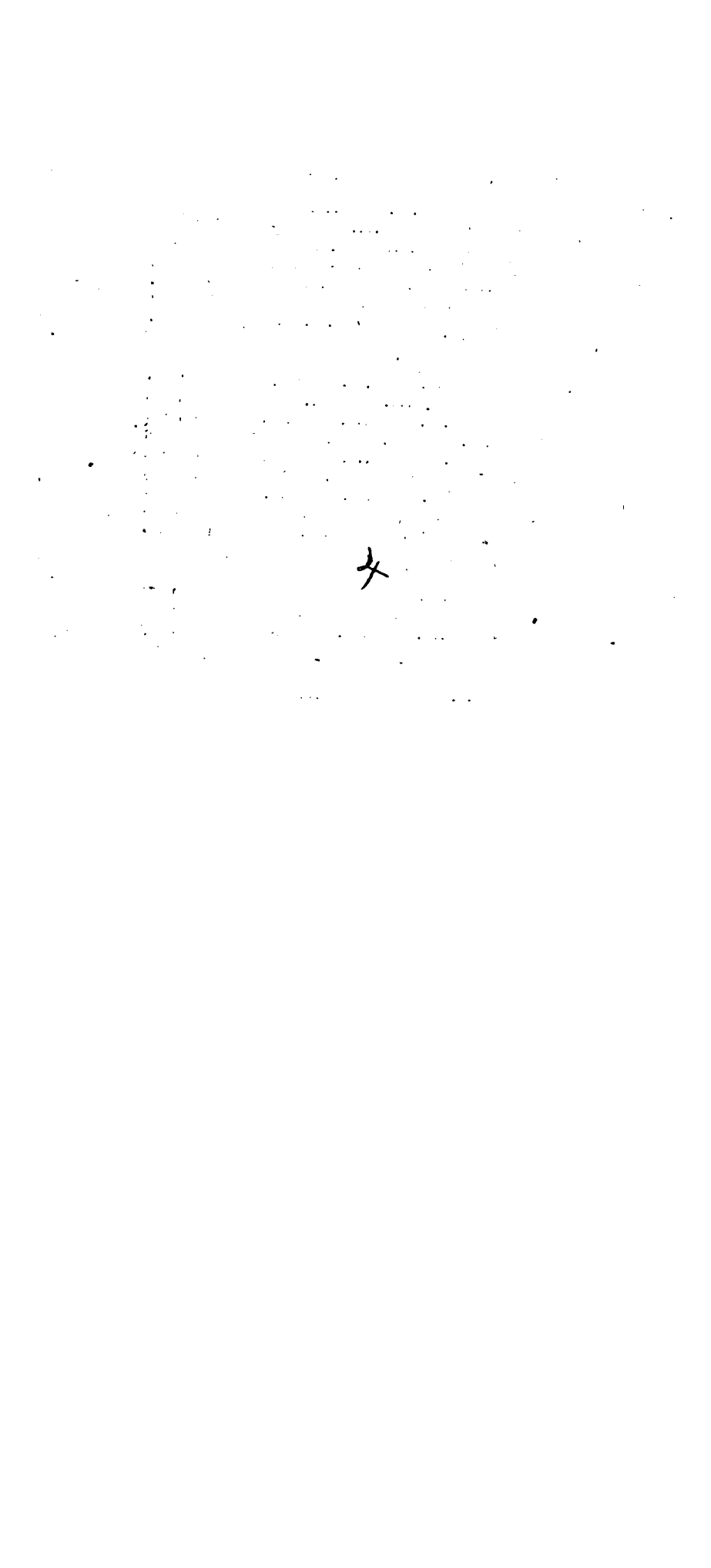
T

Turner Richard, Swindler ....
Tuckie, the Mock Parson ....
Townley William, Burglary ....

W

Webb George, Burglary ....
Whitmore John, Rape ....
Walsh Benjamin, Esq. Theft ....
Whiting Michael, Murderer ....
Westbrook James, and Phipps Elizabeth, Burglary ....
Walker John, Abuse of Office ....

R. DOWSON, PRINTER, NOTTINGHAM.



FEB 1 9 1936

NEW YORK PUBLIC LIBRAR

PURCHASED FROM FUND BEQUEATHE

JANE DUGDALE

IN MEMORY OF HER BROTHER

RICHARD L. DUGDAI